

LP
F
5012

1858

m



3 9004 01376019 1

Queen's University
Library

KINGSTON, ONTARIO



COUNT DE MONTALEMBERT.

As he appeared at the State Prosecution in Paris, 24th November, 1858.

THE BRILLIANT FRENCH ESSAYIST'S
"Debat sur l'Inde au Parlement Anglais."

THE CELEBRATED
ESSAY ON ENGLAND
AND HER
COLONIAL POLICY.

BY
COUNT DE MONTALEMBERT,

ORIGINALLY PUBLISHED IN THE "CORRESPONDANT REVUE," UNDER THE TITLE
OF "UN DEBAT SUR L'INDE AU PARLEMENT ANGLAIS," AND FOR WHICH
THE AUTHOR HAS BEEN PROSECUTED BY THE EMPEROR NAPOLEON III.

*With Portrait and Biographical Sketch; also a full account of the State
Prosecution of the distinguished Essayist.*



Toronto:

LOVELL & GIBSON, AND W. C. F. CAVERHILL, YONGE ST.
MONTREAL: JOHN LOVELL, CANADA DIRECTORY OFFICE.

1858.

[*Cheap Canadian Edition. Price 25 cents.*]

F50L2

1858M

TORONTO:

PRINTED BY LOVELL AND GIBSON, YONGE-STREET.

P R E F A C E .

BY THE CANADIAN EDITOR.

The profound sensation which has followed the publication in France of MONTALEMBERT'S noble Essay on the *Colonial Policy of England*, induces us to prepare and issue in this form a cheap Canadian Edition of his eloquent eulogy on the British freedom which, as Colonists, we so fully enjoy.

The trial of this distinguished writer, which has just terminated adversely to him, has rendered his essay "the talk of all Europe," and has called forth, from the principal London papers, a series of those pungent and powerful "leaders" for which the English newspaper press is famous.

The circumstances which led to the publication of this memorable essay, together with an admirable synopsis of its contents, are thus briefly given in the London *Times*, on first publishing the essay in an English dress:—

"M. de Montalembert has long been known in Europe * * * as the champion of the Catholic Church of France, an upholder of the Gallic liberties, and also a lover of constitutional forms, and a humble admirer of civil liberty. This faith and these tastes are acting under some discouragement just now in Paris, and M. de Montalembert has often sought a more free enjoyment of them on this side the Channel. * * * In one of his recent visits to this country, this eminent Roman Catholic was present at a debate upon the Mutinies in India. 'I issued,' he said, 'from that grand spectacle deeply moved and satisfied. I felt myself more than ever attached to the liberal convictions and hopes which have always animated, amid the saddest phases of our history, that *select band* of honest men whom deceptions and defeats have never disheartened, and who, even in exile, even on the scaffold, have cherished patriotism enough to believe that France could, as well as England, support the reign of law, of intelligence, and of liberty.' * * * Montalembert went back to his own country excited by shame and indignation; and he wrote the eloquent and passionate eulogy of English freedom, and the fierce denunciation of the writers who had gloried in English disasters. * * * The article which he wrote occupies sixty-eight pages of the periodical in which it appeared, and *its language is a stream of unpausing eloquence*. He celebrates all the great results which the institutions of this country have brought

to pass—her conquest of the Indies, her colonization of the West, her creation of first-rate Powers, mature in the United States, verging upon manhood in Canada, and growing in Australia. * * * He passes on to celebrate the liberty of our press, and to show how innocuous even literary licentiousness becomes when all men can read, compare, and think. * * * He then rushes on from these discussions, and involves himself in the facts and victories of our Indian campaigns, * * * and speaks of the English as a ‘great people, who can and who desire to conduct their own affairs, whom nothing discourages or frightens—who are sometimes deceived, but who do not drive to extremity men or things; who, in fact, know how to arrange and repair all, without being obliged to put themselves under tutelage, or to seek for safety elsewhere than in their own manly and intelligent energy.’ Towards the end of his remarkable composition, Montalembert gives solemn warning that the feeling is common in Europe, that ‘*la cause qu’on aime est défendue par la nation qu’on n’aime pas.*’ Montalembert hastens to say that he loves England almost as much as the liberty she cherishes, but adds—‘*l’Europe me semble bien plus à craindre pour elle que l’Asie.*’ It is to be noted that this warning, more significant than many a phrase that required some torturing to bear on France, has not been made a point in the prosecution.”

As indicated by the author, we have divided the Essay into eight Chapters and inserted index headings to the more important paragraphs. We have also supplied all the passages of the speeches quoted by the author, which were omitted in the English version of *The Times*. These improvements and additions will render the perusal of this brilliant Essay more satisfactory and agreeable to the reader.

A very full and complete account of the state prosecution which followed the publication of the Essay is appended herewith. We have also prefixed to the Essay a brief biographical Sketch of the career of this eminent Frenchman, and have illustrated it with an engraved portrait, copied from an excellent likeness of him lately published in the *Illustrated London News*.

We sincerely hope that the publication of a Canadian edition of this admirable Essay on the *Colonial Policy of England* will not only prove successful, but will also show how sincerely we sympathise with the gifted and chivalrous author in his noble protest against, and firm resistance to, the repressive tyranny which characterizes the present régime in France.

CONTENTS.

Portrait (facing Title Page.)	PAGE V
Preface	9
CHAPTER I.	
Introductory.....	15
CHAPTER II.	
The Colonial Policy of England vindicated	17
CHAPTER III,	
The English and Continental Press—British Rule in India.....	23
CHAPTER IV.	
Events which led to the Fall of Lord Palmerston	34
CHAPTER V.	
The Great Debate on India: (1) In the House of Lords, 14th May, 1858; (2) In the House of Commons, 14th–21st May, 1858....	42
CHAPTER VI.	
The “Derby Day” on Epsom Downs	51
CHAPTER VII.	
Close of the Great Debate..	54
CHAPTER VIII.	
Effect of the Debate in England and India—The Present State of England—Her loss of Prestige—Danger to Liberty.....	62
State Prosecution of Count de Montalembert by the Emperor Napo- leon III.....	70

* * Index Headings are prefixed to the more important paragraphs.

BIOGRAPHICAL SKETCH

OF THE CAREER OF

COUNT DE MONTALEMBERT.

This chivalrous nobleman, and independent thinker, writer, and orator, is the son of Marc-Réné-Aimé-Marie de Montalembert, formerly Colonel under Louis XVIII., then a Minister at Stuttgart—a gentleman who was created, in 1819, a Peer of France, and who held for some time the post of Ambassador from the Court of Charles X. to the Court of Stockholm. He is the head and representative of one of the most illustrious families of Poitou, whose ancestors took part in the crusade of St. Louis in 1249, and who are distinguished as having given birth to André de Montalembert, Lord of Esté, who commanded the French army in Scotland during the minority of the unfortunate Mary Queen of Scots, and who was killed on the breach of Terouanne in the defence of that city against the Emperor Charles V., in 1553. His mother was of English, or rather, we should say, of Scottish, extraction, and is said to have been a lady of strong character and remarkable ability.

Charles Forbes de Montalembert is the eldest child of this marriage. He was born on the 10th of March, 1810, in Paris—and spent a considerable portion of his youth in England and in Sweden. He was also for some years a student at the University of Paris.

When he was little more than nineteen years of age he was brought into contact, and, we believe, into intimacy, with M. Guizot, by a brochure which he published upon the political and social relations of Sweden, as we are informed by an interesting passage in the reply of the latter distinguished orator and statesman upon the reception of Montalembert into the Academy of France.

At the outset of his career he was an advocate of the union of Catholicism and Democracy, and was a pupil of the School which regarded the Abbé Lamennais as its apostle and founder, and acted

as one of the editors of the *L'Avenir*, a journal started for the express purpose of advocating that union. He subsequently entered on a sort of crusade against the University; and it is in connection with this enterprize that his name first became publicly known as a "man of mark," and a man, not of words only, but of deeds. Under the recent Charter, which guaranteed full liberty of public instruction, he joined with M. de Coux and the Abbé Lacordaire in opening and establishing in Paris a Free School for Public Instruction, denominated the *Ecole Libre*. Their opposition, however, to the existing Powers, brought them before the Police Correctionnelle who ordered the school to be closed. The death of his father, which had happened a short time previously, and which, we may here note, was remarkable as being the last instance of an accession to a hereditary title in France, had given him a seat in the Chamber of Peers, before whom he claimed the right of having the question tried. The cause came on in due form, and, although on this occasion he made his first speech, and pleaded the cause of education with extraordinary eloquence, he had the mortification of finding himself sentenced to pay a fine of 1000 francs, in accordance with the letter of a decree made by the Emperor Napoleon I. The young Count's speech made a great sensation at the time, and may be said to have inaugurated his public career, though, not having attained the legal age of thirty years, he was unable to take his seat in the Upper Chamber until 1840.

The condemnation of the Abbé Lamennais by the late Pope told strongly on the religious views of the Count, who during the next ten years gained a considerable literary reputation as a champion of Catholicism. During this period he published his "Life of St. Elizabeth of Hungary" (1836), which was followed by a treatise on "Mediæval Art," and by another on the "Life and Times of St. Anselm, Archbishop of Canterbury." In 1842, he strongly opposed the educational measure of M. Villemain, and in the following year he published his "Catholic Manifesto."

In 1835 the Count de Montalembert again threw himself actively into the debates in the Chamber of Peers, in which he delivered some masterly speeches on such general subjects as popular instruction and education, the liberty of the Church, the affairs of Poland (in which he has always taken the deepest interest), as well as on the preservation of Belgian nationality against the encroachments of Russian influence in the East, and in favour of negro emancipation throughout the French colonies.

In 1843 he married a daughter of the Count de Merode, a Belgian Minister ; and while staying at Madeira for the benefit of his wife's health, he in that year published his celebrated "Letter to the Cambridge Camden Society" (who had paid him the compliment of electing him an honorary member), designed by him to disprove the ambitious pretensions of that society in seeking to identify the Protestant and Reformed Church of England with the Church of the Middle Ages and of Continental Europe. About the same time he gave to the world his treatise "*Du devoir des Catholiques dans la Question de la Liberté d'Enseignement*," which became the signal of the decisive struggle carried on by the French Catholics in favour of religious freedom during the latter years of the reign of Louis Philippe.

Returning to France, he delivered in the Chamber of Peers his three celebrated speeches on the liberty of the Church, the liberty of education, and the liberty of the monastic orders. In 1847 he established a religious education to work in favour of the *Sonderbund*. From that date to the present the Count has stood forward as the most zealous champion of the rights of the Roman Catholic Church in France, which he has maintained at once by his powerful pen and his almost more powerful oratory. At the same time he made his influence widely felt as the firm champion of oppressed nationalities, in which spirit, we presume, he acted when on the 10th of February, 1848, he had celebrated in Notre Dame a funeral service to the memory of Daniel O'Connell.

In January, 1848, he delivered his celebrated speech upon the affairs of Switzerland, in which he plainly foretold the revolutions which broke out in the several nations of Continental Europe in the following month. After the revolution of February 1848, and the establishment of the Republic, Count de Montalembert was elected to the National Assembly, as one of the representatives of the department of Doubs, in which he possessed some private property. From the National Assembly, he passed into the Legislative Assembly. He there distinguished himself principally by the part he took in preparing the law to restrain the suffrage within narrower limits, by his frequent encounter with M. Victor Hugo, his only rival in oratory, and by his defence of the President. In both places he stood, together with M. Thiers and M. de Falloux, M. Berryer, and the late lamented Count Molé, as the head of the Conservative party and defeated the Socialists on most of the important political and financial questions of the day. Many of his speeches, and more par-

ticularly that which related to the conditions on which the Papal authority was to be re-established by the French in Rome (October 19, 1849), elicited the greatest applause from an audience which could not always sympathise with all his views. When the *coup d'état* came he protested strongly against the imprisonment of the Deputies; but he nevertheless was named a member of the Consultative Commission, a distinction he declined, and was elected in 1852 to the Corps Legislatif. As a French biographer laconically but happily expresses it, "*il y représentait presque seul l'Opposition.*" After the *coup d'état* of December, 1851, and the confiscation of the patrimonial estates of the house of Orleans, the Count, who till then had sided with Louis Napoleon, declared against him; and having been re-elected a member of the Corps Legislatif, from 1852 to 1857 he was the only member of that body who protested on every occasion against the Imperial policy. A letter from the Count, addressed to M. Dupin, and published in the Belgian papers, gave rise to judicial proceedings against him in 1854; but although the Corps Législatif had approved of his impeachment, the Judges of the Tribunal of Paris, did not find sufficient cause to condemn him, and at the last general election he lost his seat.

Count de Montalembert's name has been made more generally known in England—next, of course, to the recent prosecution—by his Essay on "Catholic Interests in the Nineteenth Century," and on the "Political Future of England." The former of these publications gives a rapid and brilliant review of Catholicism throughout the whole of Europe in the present day as compared with what it was some fifty years ago, maintaining that, on the whole, that progress has been deep, sound, and likely to show permanent results. In the same work he expresses himself strongly on the political changes that had taken place in France, and on the language of the French press in their regard. The object of the latter work is to show that the future prospects of England are identical with those of freedom throughout the world; and this leading idea he pursued through an infinity of digressions and speculations, interspersed with various particulars of English life, as exhibited in its schools, its journalism, and its political institutions. These two works have been translated into English, and were published in 1853 and 1856. He has since republished several articles from the *Correspondant*, one entitled "Pie IX et Lord Palmerston," and the other "La Paix et la Patrie," and a third on the "Memoirs of the duc de St. Simon." After his electoral defeat in 1857, the French

Academy, to which he was elected in 1850, chose him as its Director. In this capacity he had to preside at the annual meeting of the Institut de France, on which occasion he delivered his last speech on the decline of intellectual and moral life under the present autocratic régime.

Sir John Scott Lillie says, in a recent publication, that Count de Montalembert, although a peer of France and a French subject, has certain claims on England, being not only the son of a British lady, but of a British officer. Sir John adds—"To this fact I can bear testimony: as, after the battle of Vimiera and capture of Lisbon, in 1808, the father of the Count (one of the old French noblesse refugees exiled by the first Napoleon) accompanied, as deputy-quarter-master general, the 6th regiment, in which I then served, on its march through Portugal to Almeida, a garrison on the Spanish frontier, then occupied by French troops, which we removed to Oporto for embarkation, under the treaty of Cintra. Major Montalembert then proceeded with the British army to Corunna, where, after sharing in the glories of that battle against what he considered the Imperial usurpation of that time, he returned to England."

The article of the Count lately published in the *Correspondant*, entitled "A Debate on the Indian Mutiny," has called down upon him the terrors of a prosecution by the French Government, of which we have given an account at the close of this famous essay, pages 70-80.

The Portrait on a preceding page, which has been engraved in Toronto, is from a Photograph by Messrs. Maull and Polyblank, of London, to whom the Count sat when he was in England in July last.

M. BERRYER, COUNSEL OF COUNT DE MONTALEMBERT.

M. Berryer, who is universally acknowledged as the head of the French bar, was born 1790; he achieved great professional success at an early period of his career, and, after the restoration of the Bourbons, in 1815, occupied a political position of increasing prominence. He was always a Legitimist, ardent and unflinching, but during the government of the restoration he generally exerted his influences in favor of the moderate party. To the government of July he was a bitter enemy; but both in the Chamber of Deputies,

when he sat for the Department of Haute Loire, and at the bar, he always united a certain love of liberty with a strong affection for the elder branch of the Bourbons. His three celebrated forensic speeches in favor of Lamennais (1826), Chateaubriand (1833), and Louis Napoléon (1840), not only placed him without a rival as an advocate, but indicated that he shared the ideas but not the narrowness of the Legitimists. After 1848, he for some time supported the President in the National Assembly, until he saw the cause of freedom was at stake, and he then took a very active part against Louis Napoléon, until the *coup d'état* drove him from political life altogether.

M. DUFASURE, COUNSEL FOR THE PUBLISHER OF THE CORRESPONDANT REVUE.

M. Dufaure, born in 1798, was known in early life as a leader of the Bordeaux bar. In 1834, he entered the Chamber of Deputies, to which he was elected by the arrondissement of Saintes. He was a moderate Liberal, and his legal reputation and great practical ability soon opened to him the path to office. He was Minister of Public Works, in the Soult Cabinet, but after the accession of Thiers' ministry he was in opposition, and remained so during the remainder of the parliamentary period. He was a Minister of the Interior under General Cavaignac, and although he had striven hard to secure Cavaignac's election as President, he accepted the same office under Louis Napoléon. After the *coup d'état* had excluded him from public life, he joined the Paris bar, and has since had, as a practising advocate, an increasing reputation of a very high kind.

A DEBATE ON INDIA

IN THE ENGLISH PARLIAMENT.

In Eight Chapters.

CHAPTER I.—INTRODUCTORY.

1. *Montalembert's Ennui.*—*Longs to breathe the free air of England.*

There are ill-constituted minds for which repose and science are not the supreme good. There are people who experience from time to time, a want to quit the tranquil uniformity of their ordinary existence. There are soldiers who, conquered, wounded, in chains, condemned to a fatal inaction, console themselves and become invigorated at the sight of the struggles and dangers of others. It is not that they find any attraction in the vile and wretched sentiment of secure selfishness portrayed in the famous lines of Lucretius,—

“Suave mari magno turbantibus æquora ventis,

“E terra magnum alterius spectare laborem.

“Suave etiam belli certamina magna tueri

“Per campos instructa tua sine parte pericli.”

[It is delightful, when the winds are tossing the waters over the mighty deep, from land to look upon the great trouble, that disquiets another (whilst you are at ease). It is delightful also, to behold the glorious game of war played out on battle fields without your participation in the danger.]

No, it is a purer and higher motive ; it is the effort of the unarmed gladiator, an interested spectator of the arena where he is not destined again to figure, who applauds the exploits of his happier rivals, and encourages the combatants with a sympathetic cheer, drowned, but not altogether lost, amid the enthusiastic cries of the interested spectators.

I candidly confess that I may be classed in the number of such men, and I will add that I have found a remedy for this disease from which it is so little admitted that people suffer just now. When I feel myself attacked by the malady, when my ears tingle, now with the buzzing of the newsmongers of the antechambers, and again with the din of fanatics who fancy themselves our masters, and of hypocrites who think us their dupes,—when I am stifling in an atmosphere loaded with the exhalations of servility and corruption, I set forth to breathe a purer air, and to take a life-bath (*bain de vie*) in free England.

2. *Time chosen to do so.—Satirical contrasts and Reflections.*

The last time that I availed myself of this relief fortune favored me ; I was thrown into the midst of one of those great and glorious struggles in which we see brought into play all the resources of the intelligence and all the emotions of the conscience of a great people, where the greatest problems that can interest a nation out of its minority are solved in open day by the intervention of the greatest minds ; when men and things, parties and individuals, orators and writers, the possessors of power, and the organs of opinion, are called upon to reproduce, in the midst of a new Rome, the picture drawn by a Roman of the olden time under the influence of the emotions of the Forum :—

“ Certare ingenio, contendere nobilitate,
 “ Noctes atque dies niti præstante labore,
 “ Ad summas emergere opes rerumque potiri.”

[To strive with ability, to struggle with distinction, night and day to strain with unremitting exertion to rise to the acquisition of the highest objects, and to attain the mastery.]

At these words I see certain brows darken, and behold traced upon them the repugnance with which all that may seem a remembrance or a regret of political life inspires the votaries of the fashion of the day. If, among them who have opened those pages there should be some who are the slaves of that fashion, I say to them without ceremony—“ Stay where you are ; do not go any further. Not a particle of what I am about to write can prove agreeable or interesting to you. Go,—ruminate in peace amid the rich pastures of your thrice happy retirement, and do not envy the right of those who envy you in nothing to remain faithful to their past, to the solitudes of the intellect, and the aspirations for liberty.”

Every one is happy after his own fashion ; people must be in a way, I cannot say of understanding one another, but, at least, of not disputing with each other, when they have no longer any incentive to ambition or affection in common, and when they do not agree in opinion with respect either to happiness or honor.

I grant, besides, that there is nothing, absolutely nothing, in the nature of the institutions or of the political personages of our time which can resemble the men and things forming the subject of this rapid sketch. It will be understood, as a matter of course, that I do not in any way pretend to convert those progressive minds who consider that Parliamentary Government has been advantageously replaced by universal suffrage, or those politicians of the Optimist school who assert that the crowning victory of democracy consists in handing over to a sole Sovereign the exclusive direction of the foreign and domestic affairs of a nation. I write for my own satisfaction, and for that of a small number of invalids, of prying curious people,—of maniacs, if you will have it so, like myself. I study contemporary institutions which are no longer ours, but which once have been, and which still seem worthy of admiration and of envy to my mind, behind hand as it is. Might not the sympathy and attention which men of high talents have awakened in favor of the fine ladies

of the Fronde, of the equivocal personages of the great rebellion of England, or of the obscure and sterile agitations of our ancient communes, be sometimes directed towards the deeds of a nation which lives and moves in its strength and its greatness at seven leagues from our northern shores? I do think that they might, and, what is more, I imagine that this study of foreign statistics, or, to speak more correctly, of contemporary archæology, may prove as agreeable in our leisure hours as a commentary on the comedies of Plautus, or a narrative of the exploration of the source of the Nile.

CHAPTER II.—THE COLONIAL POLICY OF ENGLAND VINDICATED.

3. *Effect of the India Mutiny on Montalembert's mind.—Profound sympathy with England, heightened by the "inhuman fury" of the Continental Press, Monarchical and Democratic.—Honorable Exceptions.—England the "invincible bulwark" of liberty.*

At the end of last spring the state of Hindostan, and the issue of the insurrection which had for a whole year been raging in the northern provinces of that extensive region, still for the principal subject of attention in England. How could it have been otherwise? As for me, I was astonished and alarmed that the English people, after the consternation and anger of the first few months, had so speedily abandoned itself, not, certainly, to a criminal carelessness, but to a premature confidence in the issue of the struggle. I felt desirous to discover, in the society of the most competent judges, the true causes for the insurrection, as well as the means which were intended to be employed in order to triumph finally over a danger so formidable, so little foreseen, and aggravated to such a pitch by threatening complications which from day to day might appear on the stage of European politics. I offered in that investigation an ardent and profound sympathy towards the great, free, and Christian nation from which God exacted so terrible a trial; and I felt that sympathy redoubled in presence of the inhuman fury of so many of the organs of the continental press, and, unfortunately, of the *soi-disant* Conservative and religious journals against the victims of the Bengal massacres. I should have wished to inform every individual Englishman whom I met that I had no connection whatever with the parties whose journals applauded and justified the cut-throats, and whose earnest vows are still daily offered up for the triumph of the Mussulman and Pagan hordes over the heroic soldiers of a Christian people—the ally of France.

I felt, besides, what every intelligent liberal feels and knows, that the attitude of the Continental press with respect to the Indian question demonstrates once again the great fact which constitutes the immortal honor of contemporary England. All the apologists of absolutism, whether ancient or modern, monarchical or democratic, takes part against her; with her, on the contrary, are to be seen all those who still remain faithful to that regulated liberty of which she was the cradle, and is, to this hour, the invincible bulwark. That is

but natural and right ; moreover, it suffices to cause us to overlook, in the present policy of England, certain sympathies which may be more easily accounted for than justified, and to pardon her some wrong which, under another state of things, would call for the severest reprobation.

4. *Lord Palmerston's devious Policy previous to 1848 but little censurable.—English and French foreign Policy compared.—Thiers.—Destruction of Venice.—Ambuscade of Bayonne.*

I may boldly affirm that no one knows better, that no one has more loudly signalled, than I, the backslidings and deviations of English policy during the last few years. I was certainly the first to denounce, previously to 1848, the policy of Lord Palmerston, but too often imperious towards the weak and truckling to the strong, in the highest degree imprudent, illogical, and foreign to all the great traditions of his country. But, in fact, when we read the wretched invectives of the Anglophobes of our day, when we compare with their complaints against England the ideas which they emit and the systems which they laud, we feel involuntarily inclined to be indulgent towards Lord Palmerston. It would be, besides, the height of folly and of iniquity to regard England as solely culpable, among the nations of the earth. Her policy is neither more selfish nor more immortal than that of other great States which figure in ancient or modern history. I even believe that it would be possible to demonstrate a thesis of an altogether contrary character. It is not charity but strict justice which begins at home, and, under this head, no French publicist has the right to stigmatize the policy of England before having passed judgment on the political crimes of France during the Revolution and the Empire, not as set forth by adverse witnesses, but such as their apologists—M. Thiers, for instance—have rendered them. Rummage as you may the most suspected recesses of English diplomacy, you will find nothing there which bears even the most farfetched resemblance to the destruction of the Republic of Venice or to the ambuscade of Bayonne.

5. *The liberal Colonial Policy of England unsurpassed by other nations.—Columbus.—Negro Emancipation.—The Free Institutions of the United States are of English origin.—Australia.—What Canada, the basis of another great Confederation, owes to England.*

Besides, it is not the general, but the colonial policy of England which is now in question, and it is precisely in this latter that the genius of the British people shines with all its lustre ; not, certainly, that it has been at all times and in all places irreproachable, but it has ever and every where equalled, if it have not surpassed, in wisdom, justice, and humanity all the other European races which have undertaken several enterprises. It must be confessed that the history of the relations of Christian Europe with the rest of the world since the Crusades is not attractive. Unfortunally, neither the virtues nor the truths of Christianity have ruled the successive conquests won in Asia and America by the powerful nations of the West. After that first impetuous advance, so noble and so pious, of the

fifteenth century, which fathered the great, the saintly Columbus, and all the champions of the maritime and colonial history of Portugal, worthy of as high a place in the too ungrateful memory of men as the heroes of ancient Greece, we see all the vices of modern civilization usurp the place of the spirit of faith and of self-denial, here exterminating the savage races, and elsewhere succumbing to the enervating influence of the corrupting civilization of the East, instead of regenerating it taking its places. It is impossible not to recognize that England, more particularly since the period when she gloriously ransomed her participation in the kidnapping of the negroes and colonial slavery, may pride herself on having escaped from the greater part of those lamentable deviations from the path of rectitude. To the historian who requires an account from her of the result of her maritime and colonial enterprises for the last two centuries, she has a right to reply, "*Si quæris monumentum, circumspice.*" Can history exhibit many spectacles of a grander or more extraordinary nature, or more calculated to honor modern civilization, than that afforded us by a company of English merchants which has endured through two centuries and a half, and which governed but yesterday, at a distance of 2,000 leagues from the mother country, nearly 200,000,000 of men by means of 800 civil servants, and of an army numbering from 15,000 to 20,000 men? But England has done better still; she has not only founded colonies, but called nations into being. She has created the United States; she has erected them into one of the greatest powers of the present and of the future, by endowing them with those provincial and individual liberties which enable them to victoriously emancipate themselves from the light yoke of the mother country. "Our free institutions" (such is the tenor of the message for the year 1852 of the President of that great Republic) "are not the fruit of the revolution; they had been previously in existence; they had their roots in the free charters under the provisions of which the English colonies had grown up."

At the present day England is in course of creating in Australia United States anew, who will soon, in their turn, detach themselves from the parent tree, destined as they are to become a great nation, imbued from the cradle with the manly virtues and the glorious liberties which are everywhere the appendage of the Anglo-Celtic race, and which, let us declare it once again are more favorable to the propagation to the Catholic truth and to the dignity of priesthood than any other *regime* under the sun.

In Canada a noble French Catholic race, detached unfortunately from our country, but French in heart and in manners, owe to England the benefit of having preserved, or acquired, in addition to full religious liberty, all the political and religious liberties which France has rejected: the population has increased tenfold in less than a century, and will serve as a basis to the new confederation which, extending from the Oregon to the St. Lawrence, will one day be the rival or the ally of the Great American Republic.

6. *Great historical facts forgotten by certain French Catholic writers. — Their Fratricidal joy at the Disasters of England. — Cowardly Instigators of War. — Insane course of French Clerical Press.*

All these circumstances are forgotten, misunderstood, or misrepresented by certain Royalist and Catholic writers, who discharge their venom every day against the greatness and the liberty of England ;—strange and ungrateful Royalists, who forget that England is the only country in Europe where the *prestige* of Royalty has not suffered a taint during the last two hundred years nearly ; the only country, too, which offered an inviolable asylum to the august exiles of the Royal family of France, and lavished, with surpassing munificence, its assistance to the French emigrant nobility, and to the French clergy prescribed for having refused to compound with schism : — Catholics, stranger still ! who do not fear not only to compromise all the rights of justice and truth, but, still more, the interests of the Church itself, by obstinately seeking to establish a radical hostility between the cause of catholicity and the free prosperity of the most extensive empire which exists in our days on the face of the globe, every successive conquest achieved by which opens up immense vistas to the preaching of the Gospel and to the extension of the Roman Catholic hierarchy. The cruel joy with which the disasters, whether actual or supposed, of the English in India have been welcomed, the strange sympathies with the murderers of Delhi and Cawnpore, the daily invectives against a handful of brave soldiers struggling with innumerable enemies, and with a fatal climate, to avenge their brothers, their wives, and their children, immolated alike, and to restore the legitimate and necessary ascendant of the Christian West over the peninsula of India, will constitute one of the darkest pages in the history, already so little edifying of the religious press of our time. We regard as revolting those sanguinary declamations, accompanied by continual instigations to war between two nations happily and gloriously allied—a war from the dangers and sacrifices of which its pious promoters well know that they will be the last to suffer. And when they abound in the columns of certain journals specially devoted to the clergy, and encouraged by its members ; when they are displayed between the narrative of an apparition of the Virgin and that of the consecration of a church to the God of mercy and of love, a sentiment of painful repugnance, which may be classed among the heaviest trials in the life of an honest man, is called forth in every Christian soul which has not yet been infected by the hateful passions of a retrograde fanaticism ; we can fancy that we hear in a night passed in the East the cry of the jackal between the cooings of the dove and the refreshing murmur of the waters.

7. *Greece and Chateaubriand. — Charles X. — Catholic Prelates. — Dr. Gillies of Edinburgh. — Pius IX. — Bishop of Rochelle.*

I know this inspiration of old ; it was breathed into and detested by me in the days of my childhood, when a considerable number of those who called themselves the defenders of the altar and the throne, banned with their disapproval the generous sons of Greece in insur-

rection against the rule of the Ottomans, and who hailed the disasters of Ipsara and Missolonghi as so many defeats sustained by schismatics and revolutionists. Happily, nobler inspiration prevailed in the counsels of the Restoration, as in the naturally generous hearts of the Royalists. The genius of Chateaubriand crushed to powder the unfortunate leanings of the party to which he had always belonged towards the butchers of the Peloponnesus. And yet to day there is not a Legitimist but recognizes that it was the glory of Charles X to have taken the principal part in the deliverance of Greece, and repudiates with horror the opinions held 35 years ago by the principal organs of the Royalist party. Let us hope that the day will come when every Catholic will repudiate with equal horror the detestable encouragement given at present by the religious press to the assassins of India. Fortunately, no voice of authority in the assembly of the faithful, no pontiff, no prince of the Church, has taken part in this concert. On the contrary, we are delighted at being able to signalize, among the numerous pastoral letters published upon this subject by the Catholic bishops in the British Islands, a patriotic sympathy for the sufferings of their countrymen. That of Dr. Gillies, Vicar Apostolic of Edinburgh, deserves to be quoted as the most eloquent lament yet inspired by that national catastrophe. And it is particularly agreeable to us to recall to mind here the liberal and paternal subscription of Pius IX, for the benefit of the English sufferers in India. It was at once a touching pledge of the imperturbable amiability of his pontifical soul, and the most conclusive refutation of those prophets of hate who preach up an irreconcilable schism between the Church and British greatness.

For my own part—I say it without circumlocution—I hold in horror that orthodoxy which make no account of justice or truth, of humanity or honor; and I am never tired of repeating the significant words lately expressed by the Bishop of Rochelle: “Would it not be well to give to many Catholics a course of lectures on the virtues prescribed by the law of nature, on the respect due to one’s neighbor, on upright dealing even towards our enemies, on the spirit of equity and of charity? The virtues of the natural order are essential, and from their exercise the Church herself has not power to dispense.”

8. *Rash Denunciations of England.—How ill they become France.—Loss of French Colonies.—Colonial failure of Spain—of Portugal.*

Again, how is that the people do not understand that, by these rash denunciations of a nation which finds itself reproached at the same time with the crimes of its fathers, and the virtues of its children, its conversion to Protestantism in the sixteenth, and its assertion of liberty in the nineteenth century, they expose themselves to the harshest and most dangerous reprisals? Ah! if it had been given to France to accomplish the great colonial career which was open to it in the seventeenth and eighteenth centuries, we should, no doubt, possess a great and consoling example of which every Catholic might be proud. If we had remained, with our missionaries, and our bold but humane adventurers on the banks of the Mississippi and the St.

Lawrence, where the genius of France would have found so vast a career wherein to develope itself at its ease ; if we had known how to preserve the empire of the East Indies, which seemed, for a moment, to be within our grasp, and to inaugurate there the social and Christian virtues which are the legitimate appanage of our race, we might brave every criticism and every comparison. But we have lost all those fine possessions, and lost them precisely in that good old time to which people wish to bring us back, when the monarchy was not under any control, when "error had not the same rights as truth." Such being the case, and in the presence of history, does not justice command us to avow that the Catholic nations, with the exception of France, have failed wretchedly in the execution of the great task which Providence imposed upon them in behalf of the races whom they had subjugated ? Does not history cry to Spain in implacable accents, "Cain, Cain, where is thy brother ?" What has she done with those millions of Indians who peopled the isles and the continent of the New World ? How many years sufficed for their annihilation by the unworthy successors of Columbus and of Cortes, in spite of the official protection of the Spanish Crown, in spite of the heroic efforts and of the fervid and indefatigable charity of the religious orders ? Have they shown themselves less pitiless than the Anglo-Americans in the North ? Are the lamentable pages, penned by Bartholomew de Las Casas, effaced from the memory of men ? The English clergy are reproached with not having protested against the exactions of Clive and of Warren Hastings. We admit it is not given to Protestantism to give birth to such men as Las Casas and Peter Claver ; that is the exclusive and immortal privilege of the Catholic Church. But what are we to think if those orthodox nations, with the advantages of such apostles and of such teaching, have depopulated half the globe ! And what society did Spanish conquest substitute for the races which had been exterminated instead of having been civilized ? Must we not turn away our eyes in sadness at seeing how far the first elements of order, energy, discipline and legality are wanting everywhere, except, perhaps, in Chili, to Spanish enterprise, so destitute is it of the strong virtues of the ancient Castilian society, without having been able to acquire any of the qualities which characterize modern progress ? In Hindostan itself what remains of Portuguese conquest ? What is there to show for the numberless conversions achieved by St. Francis Xavier ? What remains of the vast organization of that church which was placed under the protection of the Crown of Portugal ? Go, ask that question at Goa ; fathom there the depths of the moral and material decrepitude into which has fallen a rule immortalized by Albuquerque, by John de Castro, and by so many others worthy to be reckoned among the most valiant Christians who have ever existed. You will there see to what the mortal influence of absolute power can bring Catholic colonies as well as their mother countries.

9. *Canada Colonized by French Catholics.—Dicta of M. de Maistre.*
—The Catholic Church cannot be sustained by falsehood.

What must be concluded from this ? That Catholicity renders a people incapable of colonizing ? God forbid ! Canada, the example of which we have quoted above, is there to give the lie to any such

blasphemous assertion. But we are bound to conclude this much—that it is well when people constitute themselves the champions of Catholic interest, to look behind and around before heaping up invective on invective, calumny on calumny, in order to throw discredit on those nations which are unfortunately foreign or hostile to the church. When people have for ever in their mouths the dictum of de Maistre, “History has been for three centuries in a conspiracy against truth,” they should not begin afresh, in history written for the use of Catholics, that great conspiracy against truth as well as against justice and liberty. On the contrary, there is another dictum of M. de Maistre which should be called to mind, “The church is in need of truth and is in need but of that.” Falsehood, under either of the two forms which law and theology recognize—namely, the *suggestio falsi* and the *suppressio veri*, is the saddest homage which can be rendered to the church. She cannot be served well by borrowing the method and adopting the proceedings of her worst enemies. To play the tricks and to enact the violences of error in her cause is not to defend the truth. The spirit of modern times has begun to perceive that a great deal of falsehood has been in circulation during three centuries against God and his church; it has begun to shake off the yoke of that falsehood. Do people then, wish to plunge it back again into the hatred of good? Do they wish to repel it towards the intellectual excesses of the eighteenth century? For that end one infallible mean is at hand—the practice or the absolution of falsehood, even involuntary, for the greater glory of God.

CHAPTER III.—THE ENGLISH AND CONTINENTAL PRESS.—BRITISH RULE IN INDIA.

10. *Philippics of English publications on British Rule in India—their conservative and healthy influence.—The English Press—its unsparing impartiality, and the generous instincts of the public.*

But has England herself been irreproachable in the foundation and administration of the immense empire which she possesses in the East Indies? Certainly not; and if we were tempted to attribute to her a degree of innocence or of virtue to which she has never pretended, it would suffice to undeceive one's self to look through the works without number which have appeared on the Government of British India, not only since the breaking out of the insurrection, but previously to that event. In all this mountain of publications, panegyric and apology are exceedingly rare; the most vehement philippics and accusations abound; but what is of far more consequence than systematic praise or blame, is the profound and superlatively sincere investigation of the faults, dangers, difficulties and infirmities of British rule in India.

I shall not case to repeat that it is in this extensive, and, indeed, unlimited publicity that the principal strength of English society consist the essential condition of its vitality and the sovereign guarantee of its liberty. The English press, at first sight seems to be

nothing but universal and permanent indictment against every one and everything ; but upon a closer inspection we perceive that discussion, rectification, or reparation, follow closely on denunciation and strong language.

Mistakes and injustice, no doubt, frequently offend, and in a flagrant degree ; but they are almost always amended immediately, or excused in consideration of the salutary truths or indispensable lights which reach the public mind by the same road. Not a general, an admiral, a diplomatist, a statesman is spared ; they are all treated in the same manner as the Duke of Wellington when, at the outset of his victories in the Peninsula he was preparing the emancipation of Europe and the preponderance of his country—in the midst of the clamors of the Opposition, both in the press and in Parliament ; and all, like him, resign themselves to this situation, confiding in the definitive justice of the country and of opinion, which has hardly ever been wanting to them. The public, accustomed to the din and to the apparent confusion which arises from this permanent conflict of contradictory opinions and testimonies, ends after the lapse of a certain time, by coming to recognize its true position. It possesses, above all, a wonderful tact for unravelling the true nature of certain purely individual manifestations, however noisy they may be, and for attributing to them that degree of importance which they really merit, respecting and maintaining the while the right which every Englishman asserts for himself to judge and criticize everything, and even to deceive himself at his proper peril.

11. *Failure in France to appreciate the development of individual liberty in England.—Effects of political repression in France.—Satirical references to Napoleon's Government.*

Those who feel themselves offended—not without reason—by the coarse form, or by the evident falsity of certain opinions expressed by some English orators or writers with respect to foreign affairs, should never forget two circumstances—first, that this species of cutting and unbridled criticism is indulged in more coarsely, more freely and more habitually on the subject of English public men and home affairs ; secondly, that it is always the act, as well as the opinion, of an individual member of society in which the progress of civilization has consisted up to the present hour in the unrestrained development of individual power and liberty. This is what is continually forgotten, and hence arise so many opinions, either absurdly false or exaggerated, of the continental press respecting the true bearing of certain speeches or writings, which it does not fail to quote and to comment on as possessing a *quasi* official sense. Notwithstanding, international relations so numerous and so long continued notwithstanding the slight distance which separates France from England, and the brief interval intervening between the French people and their past history, we have lost the art of understanding the nature of a great free nation, whereof each individual is free and permits himself every whim. We possess not only the habits but even the instincts of those sober and orderly people, doomed to an eternal minority, who sometimes consent to go away in fearful

paths, but who speedily fall back into civil impotence, among whom no one dares to speak except after orders, or by permission, with the salutary terror of a warning from authority hanging over their heads if they should be so rash as to oppose by never so little the ideas of Government or those of the mass.

12. *Great Liberty of Speech in England and her Colonies.—Example of the invocation of a foreign power by an Irish Catholic.*

In England, and throughout its vast colonies, it is quite the reverse ; every one in the world of politics says what he thinks, and does what may please him without permission from any one whomsoever, and without incurring repressive measures other than those imposed by general opinion and by the public conscience, when these may be braved with too great a degree of boldness. Under the impulse of the moment, in a fit of spite, ill-humor or vanity, any English subject, any insulated individual, without a mission from others, without authority, influence, or responsibility to any one, but seldom without sympathy, expresses, by word of mouth or in writing, whatever may pass through his mind. Sometimes it is the triumphant accent of justice and truth which thus makes itself heard, universally understood, speedily accepted, and everywhere repeated by the thousand echoes of an unrestrained publicity ; and it is in order not to destroy this chance which may be the only one in favor of right and of national interest, that the English are unanimous in resigning themselves to the serious inconvenience attaching to liberty of speech.

At other times we encounter ridiculous or offensive exaggerations, gratuitous insults to foreigners ; or, again in a contrary direction, a direct appeal to their interference in the internal affairs of the United Kingdom.* Oftener still, we notice a pleasantry, a sally, a puerile boast, a platitude, destined, on the morrow, to be contradicted, refuted, abused, and forgotten. But if by chance such a passage should fall in the way of one of those translators, authorized by the censorship, who nourish in so strange a manner the Continental press, instantly all the privileged detractors of liberty transcribe it, take due note of it, wax, wroth, threat, cry aloud, "See how England thinks, and what she says," and proceed to the deduction of consequence of an absurdly alarming cast, now for the peace of the world, anon for the security of the British institutions, under pain of being promptly and shamefully controverted by reflection and facts.

13. *Absolute Governments destructive to Society.—"Publicity in England the pivot of universal existence."*

Let us hazard the passing remark that the great evil of absolute Governments is, that their faults are kept secret. Like an abscess, that is never lanced; never dressed, never reduced, these faults spread,

* See in the *Univers* of the 25th of August last a translated report of a speech of Archdeacon Fitzgerald, in which he proposed to his countrymen to recur to the Emperor of the French for the purpose of obtaining from the English Government the concession of tenant-right. What would be the consequence in France, in Austria or at Naples, if a Catholic priest should hold such language in public, and invite the faithful to address themselves to a foreign rule, in order to force the Government at home to do them justice ?

and little by little corrupt the entire body of society. On the contrary, as had been observed with reason, an evil is never irreparable in a country where people know how to preach themselves a lesson with such rigour, without fearing to wound national pride or to humiliate the Government. Publicity in England, rash, imprudent, coarse, often apparently compromising the dignity of the country, and sometimes capable of endangering international relations, constitutes at once the daily bread of the majority, the supreme asylum of the minority, the pivot of universal existence.

It is the remedy for all the evils inseparable from a civilisation so far advanced, a painful but salutary and infallible remedy, and which, above all, proves better than any other argument the strong constitution of the patient. This remedy has never yet failed; witness what came to pass during the progress of the Russian war, and the comparative state of the two allied armies in the course of their second winter in the Crimea. Happy the nations who can so undergo the ordeal of fire and sword. Those nations may be truly called manly who find nothing to envy in any one, and who have to fear only an excess of confidence in their strength.

14. *The fall of the East India Company—its glorious career—its Generals.—The Anglo-Saxon race; its "ferocity" in the United States.*

The preceding observations serve to explain the fact that there exists no kind of reproach or of abuse with the English and the Anglo-Indians have not addressed to their Government, to their generals, above all to the East India Company, that great corporation which, after a hundred years of success and of increasing prosperity, beholds itself attacked at the close of its glorious career by that cowardly complicity of human nature all the world over with fortune, which shows itself when she abandons those whom she has long overloaded with her favors. But if we duly weigh the worth of all those accusations, if we hear the witnesses for the defence, if we consult the past state of things as compared with existing facts, we cannot feel inclined to ratify in every point the sentence pronounced against it. The future will tell whether it was right to profit by the actual crisis by suppressing the "Double Government," and by displacing the multitude of wheels which ever since Pitt's famous Bill of 1784 have always had for effect to render more complicated the action in India of the home Government, by restraining more and more the independence of the Company. Meanwhile, it would be the height of injustice to condemn its history on the block.

Certainly, it has committed more than one fault, perhas more than a single crime. It has not done all the good it might have done. But I assert, without hesitation, that the East India Company, now defunct by virtue of the Act of the 2nd August, 1858, is, of all powers known in the colonial history of the ancient or modern world, that which has done the greatest things with the humblest means, and that which, in any equal space of time, has conferred the greatest amount of good and inflicted the least of evil on the people subject to its rule. I assert that it delivered the different populations of India from a yoke, which, in general, was atrocious, in order to subject them to a regime incomparably milder and more equitable,

although still imperfect. It employed for the improvement of the conquered race not, certainly all the efforts which it ought and might have made, and which the English themselves unceasingly called for, but a hundred-fold more solicitude and devotion than any of the native Powers, whose place it took upon itself to fill, or than any of the European nations invested by conquest with a similar mission.

Admitting, even, that the immoral selfishness of a corporation of merchants has but too often signalized its *debuts* in the Peninsula of Hindostan, still, for more than fifty years, his generals and principal agents, the Wellesleys, the Malcolms, the Munroes, the Bentincks, fully displayed all the zeal and all the activity becoming their high functions to expiate the evil deeds of their predecessors, and to lead every impartial observer to avow that, in the present state of things, British domination is at once a benefit and a necessity for the inhabitants of India.

It has not found means to correct, or to contain within bounds, everywhere, the haughtiness, coldness, and the insolence natural to the English ; but it has constantly struggled against the results arising from that disagreeable mixture of selfishness and energy, which, in the instance of the Anglo-Saxon race, too frequently degenerates into ferocity, and of which but too numerous example offer themselves in the United States.

15. *Ameliorations effected by British Rule in India.—The Feudal Tenure there.—Questionable Annexations.—Absence of Good Faith in Eastern Races.—Good effects of English Rule.*

In those districts where it was invested with territorial sovereignty, it abolished in every direction slavery and forced labor (*corvees*) ; in the majority of cases it respected all vested rights, and, but too often, abuses established before its advent to power. Hence it is that European agents, continually deceived by native *employés* who serve as indispensable under-agent in immediate contact with the population, have come to be regarded as accomplices in the use of atrocious means and of torture put in practice by the tax-gatherers ; but let it not be forgotten that it was the Indians who employed torture, while it was the English who discovered, denounced, and punished the native butchers.

Respecting the question of the territorial constitution of Hindostan, forming the subject of so much controversy, and so imperfectly understood, the Company has always prevented the dispossession of the proprietors of the soil by the English colonists or speculators, sanctioning, with Lord Cornwallis, the feudal tenure of the great Mussulman and Hindoo landowners in Bengal, recognizing and giving regular effect to the rights of the present cultivators, as, for instance in the presidencies of Bombay and Madras ; or those of rural communities, as in the case of the North-Western Provinces.

The Company has been reproached, above all, with the eagerness it has exhibited in the annexation to its immediate rule of States the suzerainty of which it accepted or obtained in their capacity either of allies or vassals. But people do not ask themselves often enough if it has not been necessarily and unvoluntarily compelled, in the majority of cases, to absorb these independent States. From all of

which we ourselves have made trial in Algeria, from what has taken place in China up to this, it is clear that nothing can be more difficult than to establish relations with the Eastern races, either as our allies or auxiliaries, and that their limited good faith, and even their intelligence, cannot go beyond the idea of open war or complete subjection. Every one seems agreed in regarding the recent annexation of Oude by the Marquis of Dalhousie as an unjustifiable act which has furnished a legitimate pretext for the insurrection of the Sepoys. It would be more just to reproach the English Administration with having too long covered with its protection the crimes and excess of the Court of Lucknow, and of the aristocracy, composed of great feudatories, who crushed down the country under civil wars and exactions. Read in the *Private Life of an Eastern King*, a work published in 1855, the account of the outrageous conduct of one of those monsters who reigned at Lucknow previously to the annexation; and, again, in a work by Colonel Sleeman, Political Resident at that Court, the daily acts of violence and spoliation which the rural population underwent in consequence of wars between feudal chiefs. The English have not accepted in a sufficiently zealous spirit the responsibility imposed on them by their position as a protecting power, the species of suzerainty which they exercised since 1801, when an English Army occupied that State, when also they made the mistake of restoring the native dynasty under the tutelage of a resident. Either they should not have intermeddled in any way in affairs of their next neighbors, or they should not have tolerated ancient excesses and abuses to perpetuate themselves under the English suzerainty. This much is certain—that the population is actually less ill treated in the districts completely united to English rule than in those where the nominal authority of the Rajahs and of Nabobs tributaries of England, still subsists. Meanwhile the efforts of the Company to bring into regular and universal use the European system—so little in accord with Eastern habits—of administering justice, and of striking and levying taxes, have led it to clash with a crowd of individual interests, and to render the masses ill-disposed. Although less heavily taxed than under the native princes the population is not less inclined to fear that the rights of property, as understood and practised among them, might be sacrificed and rendered subordinate to fiscal interests. Besides, the Governors General, sometimes in spite of the Company itself, seem to have deeply wounded the national feeling of the Indian races by refusing to recognize, when there might be question of the order of succession to the throne among the Rajahs and Nabobs, the titles of adopted heirs, whom the laws and immemorial usage invest with the same rights as the heirs of the body.

16. *Religious Colonial Policy of England—of Spain—of France in Algeria. — Lord Stanley's present Policy. — Catholic successes in India, and in the East under English Rule.—Missionary Testimony.*

It is especially on the subject of religion that the accusations against the Company can be regarded as unjust and contradictory. Some bitterly reproach it with having done nothing for the propagation of

Christianity in India ; others, again, attribute the recent explosion to the spirit of proselytism which it encouraged or tolerated on the part of missionaries, and of certain officers animated by a zeal too evangelical. Under both heads these accusations are false. Founded for exclusively commercial purposes, the East India Company has never affected, like the Spanish and Portuguese conquerors, to work "for the greater glory of God ;" but as a compensation, it has never undertaken to impose truth by force on a people fanatically attached to its errors, and it has not seen any of the races subject to its rule disappear or become extinct. It struggled slowly and prudently against certain social crimes which formed part and parcel of the Hindoo religion such as the self-immolation of widows, infanticide, and Thuggism ; but, at bottom, it has scrupulously respected the religion of its subjects. By its example, still more than by its direct action, it has repressed a blind and rash spirit of proselytism, which could have only served to increase the natural antipathy between the two races, and which might have ended in the horrors too justly imputed to the Spaniards of Mexico and Peru. But, far from presenting any obstacle to the preaching of the Gospel, it, in the first place organized the national worship for the benefit of the English *employés* ; and, further, by opening up the immense regions of India on either bank of the Ganges to Christians of every persuasion, it secured to every effort of individual zeal that liberty which is the first and sole requirement of conscientious missionaries. Those among us who come forward periodically as apologists of the revocation of the Edict of Nantes, and who laud Charlemagne for having condemned to death those who were so bold as to seek an escape from baptisms in flight, will, doubtless, be of opinion that it was better to murder people after baptizing them, as the Spaniards did in America ; but an overwhelming majority among the Christians of our day will be of another opinion, and no sensible man will tax the East India Company with the commission of a crime in having pursued in Hindostan that very system which we ourselves practice in Algeria, and the introduction of which into the Ottoman Empire and China is demanded by us.

Those who reproach England with not having been able to gain Protestant converts in Hindostan would do well, perhaps, to inform themselves of the number of Catholics whom we may have converted in Algeria. I go too far even in making mention of Algeria ; for, if I am correctly informed, the preaching of the Catholic religion to the natives, and the efforts made to convert them encounter there the most serious obstacles on the part of the civil and military authorities. We have not yet heard, so far as I am aware, of Catholic missions encouraged, or even tolerated, by the French Government among the Arabs, the Mours, or the Kabyles subject to French rule. It has been alledged as a crime against the English magistrates that they kept on foot property devoted to the celebration of the absurd and frequently obscene rites of Brahminhical idolatry and that they sent a guard of police to keep order on occasion of such ceremonies. This has not taken place in India since the Act of 1840 ; but it is precisely what the French Government believes itself to be called on

to do in Africa, and assuredly we shall not meet with any state paper, penned by an English functionary professing an equal amount of sympathy and protection for Mahomedan worship as the speech of M. Latour-Mezeray, Prefect of Algiers in 1857, to the Muftis and Ulemas, in which he quoted the Koran with unction, in order to exalt the munificence of the Emperor towards Islam. I do not remember having seen a single word of criticism on this speech in those French newspapers which are the most prodigal in invective against the pretended complicity of the Anglo-Indians with the worship of Juggernaut.

The new secretary for India, Lord Stanley, son of the Premier, has solemnly declared that the Home Government now invested, subject to the control of Parliament, with all the powers of the whole Company, means to persist in the (so-called) errors of the latter on the subject of religion. In an official interview between him and the delegates of Protestant missionary societies on the 7th of August ult., he announced that, though allowing all due liberty to missionaries, the authorities would observe the most sincere and most complete religious neutrality, by the maintenance of equality before the law between the votaries of every religious belief.

What can be more favorable to the progress of Catholicity in India than this system? What competition has it to fear, since it is certain that the distribution of bibles to which act is limited Protestant propagandism, has not yet produced other than delusive results? Is it not evident that if the government intervened more directly, it could do so only in the interest of Anglicanism? What is to be required is, that it should faithfully execute this programme, and that it should put an end to the flagrant injustice which has so long prevailed respecting the salaries of the Protestant and Catholic chaplains attached to the army, and the facilities granted for the celebration of Divine service in the prisons and regimental schools. But here, again, when the pecuniary favours accorded to the schools and churches of the establishment are contrasted with the abandonment of Catholic institutions, it is forgotten that the English religious establishment in India were founded at a period when the Catholics of the mother-country groaned under penal laws, just like Protestants in France. Both the former and the latter have been indebted for their emancipation to the altogether modern principle of liberty of conscience. The East India Company had the merit of recognizing this principle in Hindostan, before it had triumphed in England. Although exclusively composed of Protestants, it has never opposed the preaching of Catholic doctrine. What is now demanded, and rightly, is, not only liberty, but equality, as between different sects, and that point is being arrived at gradually. The English Government has already made a step in the right direction; in 1857 the company doubled the salaries of the Catholic chaplains, and, by virtue of an order made by the Duke of Cambridge, Commander-in-chief, bearing date the 24th of June, 1858, 19 additional Catholic chaplains have been nominated, with salaries equalling in amount those of the Protestant chaplains. A circular of General Peel, Secretary of war, dated the 23rd of June, 1858, has introduced into

the economy of the regimental schools some valuable reforms, which might well serve as models in Prussia and other countries where there is a mixed population. But, beyond those favours, which are only acts of justice, the progress of the Catholic religion in India has been, for a long time past, identified with the maintenance and the existence of British power, by the fact alone that this latter assures liberty to the preaching of the Gospel, and exercises as ascendancy, for the benefit of Europeans, and of their opinions, even in those regions which may not be subject to its rule. Let us suppose that the English should be expelled from India, and that that country should be placed once more under the yoke of the restored from the Mulsulman Hindoo princes; is it not evident that we should soon be obliged to present ourselves there to protect our missionaries with cannon-shot, as has been done in China and Cochin-China. "Our hope of success"—thus writes a French missionary on the point of setting out for Thibet in July, 1857—"lay in the prestige which English powers exercises in the regions we were about to traverse." The numerous Catholic bishoprics established in the Peninsula of Hindostan since its conquest by England, bear witness more loudly than any other argument, to the importance of the services rendered by that conquest to the true faith. If the congregation of the Propaganda at Rome were consulted, it would then be known how many bishops and missionaries have reason to rejoice at the absolute liberty which they enjoy in Company's territories, whenever they do not encounter difficulties arising from the former patronage of the Portuguese Crown, and from the too generous concessions formerly accorded by the Holy See to a Catholic state whoses pirit of chicanery and of encroachment dates neither from today, nor yesterday, but traces its origin to the period of its first establishments, and forms so sad a contrast with the title of "Very faithful" granted by the Popes to the Kings of Portugal. The sworn detractors of modern liberty, the retrospective admirers of orthodox and absolute monarchies, will find nothing in the annals of the Anglo-Indian Government which can, even distantly, recal the 10 years' imprisonment to which were condemned at Goa, the Vicars-Apostolic sent by Urban VIII to Japan, or the penalty of death, which was still in force in 1687 against all those who endeavored to penetrate into China without previous permission from the Governors of Macao.

Besides, the Indian insurgents, less enlightened, no doubt, than their patrons at Paris and Turin, have not made any distinction between Catholics and Protestants; at Delhi, at Agra, and Cawnpore they sacked our convents and slaughtered our missionaries just as if they were Church of England men; and these latter had merited the crown of martyrdom by their indefatigable devotedness and generous charity towards the wounded and sick of both sects.

17. *Failure of the Press to incriminate any English functionary in India.—The Mutiny caused by fictions and by the credulity of the Sepoys themselves, not by rigour or violence.—Examples of over indulgence.*

This is certain, that amid all the deluge of accusations launched against the British Administration, by the foreign press and that of

the mother country, and principally by the newspapers published in India, which respect no one and suppress nothing, no one has yet succeeded in pointing out, within any reasonable period shortly preceding the insurrection, a single act of cruelty, corruption, or perfidy which can be imputed to any individual English functionary, whether civil or military. This gives us the key to a fact of very great importance, and which alone suffices to absolve English dominion in India. During the period of nearly eighteen months that the insurrection has lasted its character has been purely military. The civil population has taken no serious part in it, and, except in some rare instances, has refused all aid to the insurgents, notwithstanding the good opportunities and numerous temptations which the partial defeats of the English and the small number of their troops may have presented. Far from that, it is well known that it is, even now, to the aid of native princes, and of auxiliary troops borrowed from races different from those composing the Bengal army, that England owes the good fortune of having been able to make a successful stand against the insurgents. The revolt has been exclusively the work of the Sepoys enrolled in the Company's regiments; and upon this point again the slightest act of rigor or of violence on the part of the English officers, which could have produced the revolt, is not produced in evidence. In order to induce them to rise, it was necessary to have recourse to fictions, not one of which implies any hardness or injustice on the part of the English officers, but which turned altogether on the supposed dangers to which the religious faith and the traditional usages of the Sepoys were asserted to be exposed. Their credulity in this respect is the more inexplicable, since the most competent observers are unanimous in recognizing that the English had practised forbearance, carried even beyond its natural limits, towards the prejudices of caste, and the overweening sense of superiority of the Brahmins, who formed the majority in the Bengal regiments. The indulgence and partiality for the Indians had been pushed so far as to do away with corporal punishment in the native army, subsisting, as it still continues to do, as regards the English troops, and of which such revolting use had been made in Europe during the period of the revolt in the Ionian Islands in 1849, at the very time that the draymen of London violently assaulted the Austrian General Haynau, whom they reproached with having caused women to be flogged in Hungary.

18. *Excessive rigour to the vanquished.—Spain.—Tyrol.—La Vendée.*

After having thus allotted to the defence of a great people, unjustly defamed, so much of our space, our motive being that it enjoys almost alone the honor of representing liberty in modern Europe, it is fitting to testify to the just indignation which the excessive rigor of the chastisements inflicted by the English on the vanquished insurgents who have fallen into their hands ought to evoke. I am aware of all that can be said to excuse reprisals, only too legitimate, against savages guilty of the most monstrous excesses, committed on the persons of so many officers, surprised and disarmed, and especially of so many noble women, innocent young girls, and poor little chil-

dren, slaughtered in hundreds, without any provocation for such horrid deeds. I can well understand the battle-cry of the Highlanders at the assault of Delhi, "Remember the ladies, remember the babies." I admit, moreover, that the severe punishments inflicted on soldiers taken with arms in their hands, all of them voluntarily enlisted, and bound under an oath, taken of their own free will, to respect the commanders whom they have massacred, cannot be compared with the chastisements inflicted on innocent and hospitable populations by the conquerors of the New World, nor even with the rigorous punishments decreed by our Generals of the French Empire against the populations of Spain and the Tyrol, engaged in the most legitimate of insurrections, still less to the horrors committed in Vendée by the butchers of the Convention. But for all that, I am not the less convinced that the just limits of repression have not been overpassed, and that the executions *en masse* of the defeated Sepoys, systematically continued after the first of grief, caused by unheard-of atrocities, will fix an indelible stain on the history of British rule in India. This is no longer justice, but vengeance. A people really free should leave the sad privilege of being cruel to slaves in revolt. A Christian people ought to know that it is at once a thing forbidden and impossible for it to struggle against infidel races with such arms as mere punishment may supply. It is the part of the English officials, who direct military and political operations from the Indus and the Ganges, to know how to resist the odious incitement of the Anglo-Indian press. They have before the example of the chivalrous Havelock, who, in a proclamation addressed to the soldiers whom he was leading against the cut-throats of Cawnpore, declared that it did not become Christian soldiers to take Pagan butchers for their models.

19. *The English Heroes in India.*—Havelock, Nicholson, Wilson, Neill, Lawrence, and Peel.

That one name of Havelock recalls and contains in itself all the virtues manifested by the English in that gigantic struggle, and which would find themselves tarnished beyond any hope of restoration by an obstinate perseverance in too cruel a repression. Havelock, a hero of the antique stamp, resembling by his finish and irreproachable qualities the great Puritans of the 17th century, already advanced in age before having distinguished himself, suddenly flung into the jaws of an immense danger with but insignificant means of grappling successfully with it, brought all things to a happy issue by his conscientious courage, attained at one stroke that glory and immense popularity which are re-echoed wherever the English language is spoken, died before he could have enjoyed them, occupied in his last moments with the interests of his soul and the propagation of Christianity in India, and saying to his son, about to receive his last sigh, "For forty years I have been preparing for this day ; death is for me a blessing." He figures worthily at the head of a group of heroes who showed themselves equal to every difficulty, danger and sacrifice. Among them grateful England loves to name Nicholson, Wilson, and Neill, also carried off by death in the midst

of their victories ; Sir Henry Lawrence, foremost among the heroes of Lucknow, and the man whose energy has recently saved the recent conquests of the North-West ; in fine, if we only speak of the dead, Captain Peel, the young and noble son of the great Sir Robert Peel, as brave on land as he was at sea, whose premature death has been a national loss. Victims of a struggle between civilization and barbarism, they are known to every Christian people ; all can admire them without restriction and without reserve. They do honor to the human race.

20. *Heroism of the English Victims in India.—The Noble Spectacle of the National Solemn Fast of October, 1857.*

And it is not only such names, great beyond comparison, it is the bearing in every respect of this handful of Englishmen, surprised in the midst of peace and prosperity by the most frightful and most unforeseen of catastrophes. Not one of them shrank or trembled before their butchers—all military and civilians, young and old, generals and soldiers, resisted, fought, and perished with a coolness and intrepidity which never faltered. It is in this circumstances that shines out the immense value of public education, such as we have signalized it in these pages, which invites the Englishmen from his youth to make use of his strength and his liberty, to associate, resist, fear nothing, be astonished at nothing, and to save himself by his own sole exertions, from every sore strait in life. Again, the Englishwomen, doomed to share the sufferings, the anguish, and, in such numbers, the atrocious death of their fathers and of their husbands, showed the same Christian heroism. The massacre of Cawnpore, on which occasion, before being slaughtered, men and women, tied together, obtained for sole favor to kneel and hear read the prayers of the Liturgy by the chaplain destined to perish with them, looks like a page torn from the acts of the first martyrs. It gratifies us to link this scene with the day of solemn fast and humiliation ordered by the Queen, and universally observed on the 7th of October, 1857, when the noble spectacle presented itself of a whole people prostrate before God to beseech Him for pardon and mercy. Such are the examples, and such the memories, and not the revolting and peurile excesses, of a bloody repression, which ought to furnish England with strength to resist her enemies and with the conviction of vanquishing them.

CHAPTER IV.—EVENTS WHICH LED TO THE FALL OF LORD PALMERSTON.

21. *Feeling against France at the time of the great Parliamentary Debate in May.—The right of Free Asylum vindicated in England.—Fall of Lord Palmerston.*

In all that the reader has perused thus far, I have not pretended to explain or to justify all the circumstances attending the recent occurrences in India ; I did not seek to sit in judgment on the past, still less to inspire a confidence in others as to the future

of that empire which I myself am far from sharing. I merely wished to give expression to my own impressions respecting a class of facts and ideas to which it is impossible not to pay attention when one is interested in the destinies of liberty and justice here below. For the rest they will serve to explain the deposition with which I assisted at the principal Parliamentary debate on the subject of India during the last session.

It was the first week in May. Two months had hardly passed since the advent of the new Ministry presided over by Lord Derby, and the fall, unforeseen as it was, of Lord Palmerston. The causes of these events are known. To the sentiment of universal horror excited in England, as everywhere else, by the execrable attempt of the 14th of January, a violent irritation had succeeded, produced by the steps taken by the French Government, and by certain addresses published in the *Moniteur*, which seemed to consider English society, where there is no political police, responsible for the preparations of a crime which not all the power and vigilance of the French police were able to prevent. The Government of Louis Philippe might with just as good a grace have held England responsible in 1840 for the Boulogne expedition. We can speak the more freely of this occurrence, inasmuch as our Government, with a wisdom which does it honor, has since spontaneously ceased to insist on the points which had therefore occupied its attention. The right of free asylum is regarded by the English people as one of its national glories; and that people is, of all others, the least inclined to sacrifice a right on account of the abuse which its exercise may sometimes occasion. Besides, Frenchmen of every shade of opinion, and of all parties, have availed themselves of that right in the course of the numerous revolutions which have distracted modern France; the different dynasties that have reigned in France have availed themselves of it, and the reigning Sovereign has to a greater extent than any one. Hence, people felt in no way obliged to Lord Palmerston and his colleagues for the species of condescension with which they replied to Imperial requirements. The old war-cry during the struggles of the English Crown with the Papacy of the middle ages resounded throughout the country—*Nolumus leges Angliæ mutari*. Although the House of Commons would have approved by its vote the principle of the bill (otherwise perfectly reasonable and legitimate) intended to facilitate the application of legal punishment in the instance of principal offenders and their accomplice in crimes committed abroad, that assembly could not resist the current of public opinion, and on the 19th of February it adopted a vote of censure against the manner of conducting the diplomatic relations between the two countries. Under the weight of this solemn censure Lord Palmerston was obliged to resign with all his colleagues.

22. *Causes which led to Lord Palmerston's Fall.—Analysis of his Political Character and Career.*

But it would be to deceive ourselves sadly if we sought in this ephemeral difference between France and England the true cause of the fall of a Ministry which had enjoyed till then a popularity so

long-continued and so powerful. Those causes must be traced higher, and are more honorable, and at the same time, more natural. With this ancient and deep seated popularity, after a great war speedily and successfully terminated under his auspices, after a recent dissolution of the House of Commons had declared for him on the Chinese question against the formidable league of his adversaries, and put him at the head of a greater majority than ever, he might well have been considered secure in the possession of power for years to come. But the height which he had reached seemed to have made him dizzy. Long a circumspect courtier of public opinion and of its caprices, one would have said that he suddenly thought himself free thenceforth to disdain, and even to brave it. Although he would have always succeeded in obtaining the support of a majority in the Commons for his foreign policy, he had not the less excited in a great number of liberal and sensible minds a lively and increasing antipathy for a teasing and blustering policy, equally without dignity and logic, at one time affecting a zeal for liberty which did not recoil before a revolutionary sentiment, at another adoring and adulating absolute monarchy—a policy which has certainly brought more ill on the good name of England than all the insults of her detractors. To those causes of discontent, so justly provoked by his foreign policy, others were not wanting, produced by his disdainful indifference to the greater number of internal reforms interesting to new parties. As happens too frequently to statesmen grown old in the exercise of power, he had grown accustomed to dispense with the services of every superior merit but his own, to surround himself with honest and docile mediocrities, and imagined that the quantity of his adherents would always compensate for their quality. He hardly ever conferred office on any who were not members of a family clique or a clan of which the public had long been tired, and which the Premier seemed to take pleasure in circumscribing more and more every day. Lastly, he had thrown open the Cabinet to a personage whose moral reputation had been compromised, whether wrongly or rightly, and this nomination had aroused quite a storm among the middle classes, growing more and more susceptible on this point. In fine, that constant good humor, the jovial cordiality, that gaiety of high and refined society, by which he dazzles and fascinates in private life, and which rendered him so many services in the most critical debates, seemed in their turn to abandon him. One would have said, that he took a pleasure in irritating his adversaries and rendering his friends uneasy by the arrogant and sarcastic tone of his replies to questions in the House of Commons. It is said that nothing has contributed to increase the majority which unexpectedly arrayed itself against him than the contemptuous irony with which he met, some days before the vote of censure, the question of Mr. Stirling respecting the famous legacy of the Emperor Napoléon I, to Cantillon, who had attempted to assassinate the Duke of Wellington. All these causes, great and little put together, ended by diminishing and shaking the ascendancy which Lord Palmerston had conquered, by his rare capacity, his indefatigable ardor, his eternal youth, and incontestable patriotism. Without everything in this commanding

position seemed sound and unimpaired ; it was, however, undermined in the opinion of many ; an unforeseen and sudden shock sufficed to crumble it. The circumstances which I am about to recount have rendered this ruin much more complete and more enduring than it at first appeared to be.

23. *The New Cabinet, its Personnel.—The Whig Onslaught.*

In fact, neither Lord Palmerston nor the public believed that the defeat was decisive. Lord Derby had been charged with the mission of forming a new Cabinet, in his capacity of head of that old Conservative party which has never recovered from the blows inflicted by its own hands when it refused to follow Sir Robert Peel in the paths of legitimate progress, and which has not since been able to constitute a majority, either in the country or in the House. But Lord Derby was at the head of a staff which had already worked, with more or less success, in 1852, and which he was careful to reinforce with younger, more active, and more intelligent men, so as to display an array of battle more brilliant and more imposing than the ranks of the somewhat used-up colleagues of Lord Palmerston.

Side by side with powerful orators, such as Mr. Disraeli and Lord Ellenborough, and with laborious and popular administrators, such as Sir John Pakington and Mr. Walpole, was seen shining Lord Stanley, the youthful son of the Earl of Derby, whom all parties seem agreed to salute as the future and popular chief of a great new party and of a conciliatory and energetic Ministry. However, despite the somewhat lucky *début* of the new Ministry, its existence could not be looked upon as certain. Only two-thirds of the majority which had overthrown Lord Palmerston consisted of the partisans of Lord Derby ; the remaining third party comprised, besides the brilliant but numerically insignificant names of the Peelites, all the independent Liberals, and above all, the Radicals, far more advanced in their political opinions than the commonplace Whigs of Lord Palmerston's army, and still more than the Tories ranged behind Lord Derby. Such a majority might very well sustain during some time a Government the work of its vote, but promised no durable support. Lord Palmerston and his friends reckoned on the speedy dissensions and lassitude which such a situation could not fail to engender. They only waited for a favorable opportunity to fall into line once more, and to win back a position temporarily lost by errors which might easily be repaired, and which they would know how to fortify by profiting by the lesson which they had received. This opportunity was not slow in presenting itself under as brilliant and favorable circumstances as possible.

24. *Grand assault on the Indian policy of the Derby Cabinet.—Clemency Proclamation of Lord Canning.—Sensation caused by it.*

Lucknow, the capital of the kingdom of Oude, had just yielded to British arms. The attention of England had for a long time been fixed on that great city, where 600 Englishmen and 200 Englishwomen, besieged in a palace hardly furnished with mere battlements by

60,000 cut-throats, and by a hostile population of 51,000 in number, had furnished during four months an example of courage as heroic and as more successful than that of the defenders of Saragossa. Delivered by Havelock, they were not able to keep possession of the fortress immortalized by their valor, and it was necessary that a fresh army under the command of Sir Colin Campbell, should snatch from the insurgents a city which was at once a fortress and the capital of the insurrection. The taking of Lucknow seemed necessarily to bring about the submission of the entire kingdom of Oude, the union of which to the territories under the immediate sway of the Company had been regarded as the principal cause of the insurrection, thanks to the discontent with which that measure had filled the minds of the great number of the Sepoys, natives of that country, and voluntarily enlisted into the Bengal army. To make sure of that submission, Lord Canning, Governor General of India, thought proper to publish a proclamation, bearing date the 14th of March, 1858, which pronounced under the title of annexation to British dominion, the pain of absolute confiscation of all property belonging to the talookdars, to the chiefs, and landed proprietors of Oude, with the exception of six, specially indicated, who had aided the English authorities during the revolt. He reserved to himself the faculty of restoring part or the entire of the property confiscated to those who might give proof of a prompt submission, and lend their energetic aid to the Government for the restoration of peace and order.

Such an act was of a nature to wound deeply not only the interests of a native population of five millions of souls, but still more the public conscience of England, tardly but profoundly convinced that the respect of the rights of property is the basis of every social right. It was specially matter of wonder that such a document should emanate from Lord Canning, who, taken by surprise during the second year of his administration by the explosion of a revolt the most unforeseen and the most formidable that had ever broken out against a foreign rule, till then had shown himself equal to the terrible difficulties of his situation, and had resisted with the most noble and Christian constancy, the sanguinary incitements of the English residents in Calcutta against the rebels and the Hindoos in general. The Anglo-Indian press, exasperated by the inflexible moderation of the Governor General, had bestowed upon him the sobriquet of "Clemency Canning." And this was the man who now decreed, against a people *en masse*, this chastisement, as impolitic as it was excessive, as iniquitous by reason of its universal application as by its faculty of smiting the posterity of the guilty and the innocent alike.

Hence, hardly was the proclamation known in London, that it excited a general sensation, which found vent in the shape of a question addressed on the very day of its publication (6th May) by Mr. Bright, to the Chancellor of the Exchequer, Mr. Disraeli. The latter replied that the Government had already conveyed to Lord Canning its formal and total disapproval of the measure in question. Now, two days after public attention was attracted anew to the pu-

blication in a London newspaper of a still stranger and more startling document. This was the dispatch in which the Earl of Ellenborough President of the Board of Control—that is, Minister of the Department of Indian Affairs—had, so far back as the 19th of April, signified to the Governor General the solemn censure of the Home Government.

25. *Sketch of Lord Ellenborough's career.—His famous Despatch.*

Lord Ellenborough, who had been formerly Governor-General of India, where he had signalized himself by the conquest of the vast province of Scinde and Gwalior, was dismissed by the Directors of the East India Company, whom his too ardent zeal and intemperate official language had alarmed. This, I believe, is the sole example of the exercise of the supreme vote by the Company, which possessed the right of having recourse to it in order to conceal the appointment of the Governor General of India, whose nomination since 1784 lay with the Crown. A rival of Lord Derby in oratorical talent, and one of the most considerable personages of his Ministry, Lord Ellenborough has always practiced an independence in his proceedings and a vehemence of language which have rendered him as redoubtable to his friends as to his enemies. Those who have had the good fortune to meet him in society, in the presence of Lord Canning are in a position to state that never was contrast more complete than that between the character and bearing of the two Governors-General. They both belong to history, which has rarely registered a more significant document than the communication addressed by one of them to the other, as follows :—

“ The authoritative expression of the will of the Government in the proclamation informs the people that six persons who are named as having been steadfast in their allegiance are henceforward the sole hereditary proprietors of the lands they held when Oude came under British rule, subject only to such moderate assessment as may be imposed upon them; that others in whose favour like claims may be established will have conferred upon them a proportionate measure of reward and honour; and that, with these exceptions, the proprietary right in the soil of the province is confiscated to the British Government.

“ We cannot but express to you our apprehension that this decree, pronouncing the disinheritation of a people, will throw difficulties almost insurmountable in the way of the re-establishment of peace.

“ We are under the impression that the war in Oude has derived much of its popular character from the rigorous manner in which, without regard to what the chief landholders had become accustomed to consider as their rights, the summary settlement had in a large portion of the province been carried out by your officers.

“ The landholders of India are as much attached to the soil occupied by their ancestors, and are as sensitive with respect to the rights in the soil they deem themselves to possess, as the occupiers of land in any country of which we have a knowledge.

“ Whatever may be your ultimate and undisclosed intentions, your proclamation will appear to deprive the great body of the people of all hope upon the subject most dear to them as individuals; while the substitution of our rule for that of their native sovereign has naturally excited against us whatever they may have of a national feeling.

Then in a series of paragraphs, which do not seem intended for publication, the Minister censures, without circumlocution, the annexation of Oude, effected by the English Government under Lord Dalhousie, as well as the fiscal measures which followed the incorporation of the kingdom. He concludes from that measure that the revolt in Oude possesses the character of a legitimate and regular war rather than of a rebellion, and, consequently, that the inhabitants of that country ought to be treated with indulgence rather than be rendered amenable to the most rigorous punishment that can be inflicted on a conquered people. The despatch concludes thus :—

“ We must admit that, under the circumstances, the hostilities which have been carried on in Oude have rather the character of legitimate war than that of rebellion, and that the people of Oude should rather be regarded with indulgent consideration than made the objects of a penalty exceeding in extent and in severity almost any which has been recorded in history as inflicted upon a subdued nation.

“ Other conquerors, when they have succeeded in overcoming resistance have excepted a few persons as still deserving of punishment, but have, with a generous policy, extended their clemency to the great body of the people.

“ You have acted upon a different principle ; you have reserved a few as deserving of special favour, and you have struck, with what they will feel as the severest of punishment, the mass of the inhabitants of the country.

“ We cannot but think that the precedents from which you have departed will appear to have been conceived in a spirit of wisdom superior to that which appears in the precedent you have made.

“ We desire that you will mitigate in practice the stringent severity of the decree of confiscation you have issued against the landholders of Oude.

“ We desire to see British authority in India rest upon the willing obedience of a contented people. There cannot be contentment where there is general confiscation.

“ Government cannot long be maintained by any force in a country where the whole people is rendered hostile by a sense of wrong, and if it were possible so to maintain it, it would not be a consummation to be desired.”

History, I am convinced, will side with the author of these noble words, and will add that the statesman to whom they were addressed was capable of understanding and giving effect to them. But politics are not always at one with history, and justice itself required that this solitary and memorable reprimand should not be forwarded to its destination—above all, that it should not be published—before the high functionary therein accused could justify or explain his conduct. Hence a sudden explosion of astonishment and discontent. Every one understood that it was at least highly imprudent thus to disavow, during the continuance of the war in Oude, the entire antecedent policy respecting the country, and to paralyze, by a disapproval in a public form, the authority of the chief representative of British power in India. The public, also, was offended by the haughty and somewhat pompous style of Lord Ellenborough's censures, the antipodes of the simple and matter-of-fact tenor of English official documents. This circumstance greatly contributed to excite the public mind against the author of the despatch.

26. *Preparations for the great contest.—Party Tactics—new and unexpected Episode.—Chivalrous retirement of Lord Ellenborough.*

Immediately Lord Palmerston and his friends recognised that the occasion was timely for taking the offensive, and for giving battle to the new Ministry, the issue of which could not fail to restore to less imprudent and steadier hands a power so strangely brought into danger. A natural feeling of vexation at their recent defeat, and an ambition equally natural to old statesmen who are sustained by a great party, suffice, at need, to explain their eagerness; but no one has a right to believe, that they were not guided, in addition, by a more elevated and more disinterested sentiment, or that the desire to save British India from danger and evil, increased in a twofold degree, did not influence the great number of the chiefs, and, above all, of the soldiers of the Opposition. Be that as it may, the signal for a decisive campaign in both Houses of Parliament was given. On Sunday, the 9th of May, Lord Palmerston assembled all his partisans at a preliminary meeting held at Cambridge-House, his private residence. Lord John Russell, his predecessor and rival, the ever respected head of the old Reform party, at variance with him ever since the negotiations at Vienna, in 1855, and whose neutrality served to cover the Derby Ministry, promised his support. The day was fixed for the attack and officially announced to Parliament, the rôles of the principal actors in the assault assigned and studied, the chances of victory and its probable consequences made the most of. Everything announced the certain defeat of Government, when a new episode suddenly changed the face of affairs.

Lord Ellenborough, instructed by the storm of opinion as to the nature of the error he had committed in publishing his despatch, conceived the generous idea of accepting for himself alone the responsibility and the punishment of that error. Without even communicating with his colleagues he gave in his resignation to the Queen, and he informed the House of Lords, on the 11th of May, of the step he had taken in language too noble not to merit quotation.

"I know well that, be the public importance of a question what it may, and no matter how great may be the interests involved in it, personal considerations but too much sway the decisions of both Houses of Parliament. I have determined, therefore, to remove those personal considerations. I am resolved that this question shall be considered on its merits; and, determining to do everything I can to the last moment of my life for the benefit and peace of India. I have tendered to Her Majesty my resignation, and it has been accepted."

A sacrifice made up so spontaneously, and with so much dignity, ought naturally to have had for effect the mitigation of public opinion; but the Whigs (by this term we designate, for sake of brevity, the different members of Parliament who side with Lord Palmerston and Lord John Russell) had too artfully combined their plan of attack to think of abandoning it so easily. The occasion appeared to them too good, and too unlikely to occur again, not to profit by it, and not to endeavor to snatch the direction of public affairs from a cabinet already dislocated, and which existed only by a sufferance on

the part of a majority of which it was not the legitimate representative.

Two hundred members of Parliament, assembled a second time at Lord Palmerston's residence, pledged themselves to support a resolution expressive of a vote of censure against the Ministry. The combat, which had been announced beforehand, took place on the 14th of May.

CHAPTER V.—THE GREAT DEBATE IN PARLIAMENT ON INDIA.

I. IN THE HOUSE OF LORDS.

27. *Lord Shaftesbury's motion.—Impressive scene in the House of Lords.—Despatch of the Earl of Ellenborough.—The Ministerial and Opposition Peers.*

In the House of Lords the vote of censure was brought forward by the Earl of Shaftesbury, son-in-law of Lady Palmerston, long known for his zeal for the interests of religion, and for those of the various charitable associations in connection with the Church of England. The illustrious House had never been so full or so animated; a more numerous crowd of strangers had never thronged the vicinity of the imposing and magnificent hall; a more brilliant galaxy of peeresses had never before filled the gallery where stand the statues of the Barons who signed Magna Charta. The resolution proposed by Lord Shaftesbury was drawn up with prudent reserve. It did not imply in any manner approval of the confiscation decreed by Lord Canning, and left full scope to the House to reserve its judgment on that point till it might be informed of the motives for the act; but it formally condemned the premature publication of Lord Ellenborough's despatch, as tending to weaken the Governor General's authority, and to encourage the rebels. The mover of the resolution developed it with moderation; it was supported, among other speakers, by the Duke of Somerset, Argyll, and Newcastle. It is gratifying to see those great names, which figure in the feudal, political, and military history of England, thus reappear and keep their place at the head of the interests of a people completely free and of a society so profoundly transformed. After them, and according to the custom of England which reserves the last word during the debate to the leaders of party, or of the Government, the thesis of the Opposition was resumed by Lord Granville, who had been President of the Privy Council and leader of the Upper House under the Palmerston Ministry, and who was so well fitted to fill that part by the graces of his diction, and the conciliating cordiality of his disposition. All these speakers, alive, as they were, to the damage done to their cause by the resignation of Lord Ellenborough, vied with each other in insisting on the principle of the collective and absolute solidarity of the Cabinet, and contented that it was not permitted to a Ministry to get rid, by the sacrifice of one or more of its members, of the responsibility of an error once committed and recognized as such.

28. *Arguments of the Opposition Peers.—Noble Regard for Lord Canning.—Lord Ellenborough's Speech.—Lord Derby's sarcasm.*

A Government, they argued, is one, homogeneous, and indivisible, and the privilege of chosing a scapegoat cannot be accorded to it. While listening to them my mind was struck by the danger of those abstract, absolute, out-and-out theories which glide into the discussions usual under free Governments, under cover of a party or momentary interest, and which, little by little, come to be erected into indisputable dogmas. Nothing, in my opinion, is better calculated to weaken and bring into discredit the representative system, already sufficiently complicated and sufficiently difficult to keep in equilibrium, as, indeed, are all those symptoms special to societies which stand up for the maintenance of the rights of intelligence. It is to the detractors, and not to the partisans of free institutions, or to those who work them, that ought to be abandoned the task of deducing such chimerical embarrassments from a false logic. I understood better, and was more gratified by the testimony of lively and affectionate interest which every one bore to the honor and fair renown of Lord Canning. There was something touching and highly equitable in this prepossession in favor of an absent brother, particularly as he was at a distance of 15,000 miles from his country, charged with the care of governing so many millions of men—a statesman whose courage, wisdom and humanity had reflected honor on the office he filled, and which is certainly the most important which can be confided, at the present day, by a free people to the hands of men. Son of the great orator who was Prime Minister under George IV., the contemporary and rival of our own Chateaubriand, he has shown himself worthy of bearing his father's name: and every one instinctively shared the sentiment which animate his friends, when they said to the Government, "It is your right and your duty to recall him if he has done wrong; but it is not lawful for you to aim a blow at his honor and his dignity before he should be able to afford an explanation to the country, still under the influence of gratitude for his services."

No one among the Ministerial speakers thought for a moment of disputing Lord Canning's services; but Lord Ellenborough, disembarassed of all apprehension of compromising his colleagues, took up the question anew, in its true bearings, with his usual energy and eloquence. If the publication of the despatch was an offence, he alone was accountable, as his colleagues had known nothing of it, and, no longer being a member of the Cabinet, there remained, as far as he was concerned, nothing more to be said or done in reference to that point. But the despatch in itself was salutary and necessary.

"I felt and I still feel (said the Earl) that despatch is a message of peace to the people of India; I hold that it lays down principles which, if not so laid down, never would have been generally adopted throughout that country; I know that it will offer conciliation to those who dread retribution—that it will compel all in office to act in the spirit of the Government by which that letter was sent out, and, therefore, for the public peace, I desired that that letter should go forth. (Hear.) But I take to myself the whole responsibility of having given publicity to the letter, I

know it was right to do so, and I did it at once. I might very properly, no doubt, have taken the letter to the Cabinet, and in the Cabinet have asked the opinions of my colleagues before deciding to make it public. That might have been the right course (hear, hear), but that course I did not adopt; and, therefore, to accuse my colleagues of any misconduct with respect to the publication of that letter is to raise a constitutional fiction. I am responsible, and let me alone bear whatever censure may be attributed to the act of publication. I thought this explanation to be due to my noble colleagues in this House, and to my right hon. friends in the other House of Parliament; but now I have to consider, under these circumstances, what is my duty not only to my colleagues, but to the people of India. I have served the people of India as much out of office as in office for nearly 30 years. The most earnest endeavours of my public life have been used with a view to their benefit, and I will not do any act towards the close of that public life which by any possibility might injure their interests. This question will be differently construed in this country and in India. Here it is a question between one party and another. (Cheers.) Here it is more a question whether my noble friend near me should remain in office, or whether we should submit to that to which we have an intuitive dislike—the restoration. (Hear, hear.) This is the real practical question to be brought under the consideration of this and the other House of Parliament. (Cheers.) The question in India is a very different question. The question there will be understood to be the conflicting principles of confiscation and clemency (hear, hear); and I feel satisfied that, according as the decision of this and the other House of Parliament may appear to incline to one or the other of those principles, there will be broadcast throughout India the seeds of perpetual war, or hopes will be given to the people of India and of England—the hopes of permanent reconciliation and peace.” (Hear, hear.)

The Premier, the Earl of Derby, although rendering homage to the character and services of Lord Canning, and stating that the Government was a complete stranger to the premature publication of Lord Ellenborough's despatch, was not the less as explicit as possible in his adhesion to the doctrines of the latter on the subject of the confiscation, and on that of the system suitable to be adopted towards the Indian population. “The question lies,” said he, “between pardon and confiscation in a country where every landowner is a soldier, and every soldier a landowner. We incline to pardon. If you condemn us, England will not have a sufficient number of troops to restore security to British rule in India.” In the speech of the noble lord, who, as is well known, has a leaning for the employment of personal and sarcastic arguments against his adversaries, we remark a feature of manners purely English. He considered himself at liberty to reproach the religious Lord Shaftesbury with having made himself the organ of a meeting of Members of Parliament, held at his brother-in-law's the Sunday preceding, which thus, according to Lord Derby, “had not been exclusively consecrated to religious occupations.” Lord Shaftesbury considered himself so compromised by this reproach that he thought himself called upon to address to the newspapers an exact account of the manner in which he spent his Sunday, during which the frequent repetition of liturgical occupations did not leave him an instant for recreation so profane as that in which he was believed to have been guilty of indulging.

29. *Significant Vote of the Peers.*—*Narrow majority for and fears of the Government.*—*False predictions of the Opposition Press.*

At two o'clock in the morning the House divided. Up to the last moment the result seemed doubtful, but, after the votes had been counted—not only those of all the peers present, but those also of the absent, who, from a singular respect for individual right, have the privilege of voting by proxy—it was ascertained that the vote of censure against the Government had been rejected by 167 votes against 158.

This feeble majority of nine in an Assembly where the Conservative party, of which Lord Derby is the recognised chief, has always preponderated, sufficiently indicated the extreme danger which the Administration had encountered. A victory won with such difficulty in that House, where it thought itself sure of a majority, presaged an almost certain defeat in that of which but two-fifths at most recognised him for leader. Far from being discouraged by the issue of this first engagement, Lord Palmerston's army saw in it only the first signal of a success the results of which it already anticipated. The most careful calculations as to the issue of the debate indicated a majority varying from fifty to eighty votes, which, according to the antecedents or the supposed predelictions of the different members of the House of Commons, should, at one and the same time, restore Lord Canning's compromised authority and avenge Lord Palmerston's recent defeat, by renewing against his successors an attack in the nature of a vote of censure, to which he himself had succumbed three months previously. "Before a week," declared with confidence the newspapers which supported the former Ministry, energetically seconded by the vehement attacks of *The Times*, "before a week the Derby Ministry will have ceased to exist." All this time the people lost sight, amid these hypothetical calculations, of the eventual dispositions of a new party, which, under the name of Independent Liberals, had gradually eliminated itself from the ranks of the Whig and old Reform parties, which yielded with too great docility to the supremacy of Lord Palmerston. Towards this party gravitated more and more not only those timid minds floating doubtfully between two opinions, which every assembly contains within it, but in addition, a notable fraction of the ancient disciples and colleagues of Sir Robert Peel, and at least half of the Irish Catholic members, justly irritated at the carelessness and hostility of the great Whig leaders towards the interests of their country and their religion. The outsiders agitated and combined together on their side, on the approach of the decisive conflict; and their newspapers caused it to be sufficiently understood that their support was not assured to the plans of the Opposition without requital.

30. *Frankness in English Official Affairs.*—*Absence of Intrigue.*—*Effect of the Debate.*—*Absence of personal hostility or bitterness on the part of Members of the House characteristic of English politicians.*

For the rest, in these preliminary agitations, as also in official deliberations, everything passes in open day, with a frankness and absence of constraint that nothing alters. It is evident that plots or

intrigues are not in question, but honorable and legitimate struggles which the entire public ought at once to witness and participate in. It is not merely a knot of political men, it is the whole nation whom these struggles divide and animate. Parliament, as well as the press, high circles and the mass of society, spectators and actors, are simultaneously carried along by, and equally interested in, them. Political life circulates everywhere; everywhere we see come to light the opinion of a great community of free and enlightened men, who deliberate, directly or indirectly, on the interests proposed to occupy their attention; who do not think that others can do their business for them better than they can do it for themselves, and in no way understand that an external Power should take upon itself to govern for them, among them, and without them. But if these questions excite everyone, they embitter no one. Here, as elsewhere, I can record, over and over again, in how great a degree the reciprocal courtesy of parties and individuals survives and resists the asperities of politics. First, intentions and plans of attack are frankly communicated, and even the papers which are to serve as the grounds or pretext for discussion; all tactics based on a stealthy surprise, or supported by masked batteries, would be set at nought by an unanimous outburst of opinion from all parties. Moreover, the most declared adversaries, the bitterest rivals, make it a point of honor not to carry into private and social life the hostilities of public life. People often say to one another the most disagreeable and personal things across the floor of the House of Lords, or the House of Commons, exaggerated accusations are launched, and pleasantry is pitiless; but those same people meet in the same drawing-room or dine together in the evening. In fact they are sticklers, before all things, for remaining always gentlemen, people in society and of the same society, and for avoiding to poison one's entire existence by the animosity of an ephemeral conflict. It was not so in France, it will be remembered, when public life reigned and agitated our minds. What can be the cause of this difference? The fact, doubtless, that at bottom every one is of one way of thinking in England, not only on the fundamental questions of the constitution of the social organization, but, moreover, on the conditions and consequences of the struggles of each day.

The strife is ardent, even passionate, but the prize of victory and the issue of the combat do not change in any way whereon the battle is fought, or the conquests definitely obtained for all. The temporary possession of power is disputed, the triumph of a question or opinion is hotly pressed for, but no one thinks of imposing, *volens volens*, that opinion on his adversaries, or even on his neighbours, on pain of exile from public life, and condemnation to nothingness if they have the boldness not to suffer themselves to be convinced or intimidated.

II. DEBATE IN THE HOUSE OF COMMONS.

31. *First Day.*—*Mr. Cardwell's motion.*—*Brilliant Debüt of Sir Hugh Cairns.*—*Mr. Vernon Smith's conduct contrasted with that of Lord Clarendon.*—*Lord J. Russell.*—*The Times.*—*Opposition hopes.*

The vote of censure moved in the House of Commons was drawn up with the same prudence as that in the House of Lords. It did

constitute an approval of Lord Canning's proclamation, but a direct and formal disapproval of the sentence pronounced by the Government against that act. Its proposer was Mr. Cardwell, one of the most distinguished members of the Peelite party, a faithful and devoted friend of Lord Canning, universally looked up to, whom his position and antecedents did not suffer to be regarded as subject to the preponderating influence of Lord Palmerston, or as capable of sacrificing a moral and national interest to party spirit. The first day of the debate (the 14th of May) presented nothing remarkable, except the brilliant debut of a Ministerial orator, Sir Hugh Cairns, the Solicitor General, one of the new men of liberal stamp with whom Lord Derby has had the tact to strengthen his Ministry. He sought to demonstrate that, the debate once opened, it was impossible to abstain, as the Opposition wished to be done, from calling in question the measure adopted by Lord Canning. If that measure were wise and just, how came it to pass that the Opposition refused to approve it? If it were not, why make it a ground of accusation against the Government for having censured it? When people have not the courage to approve the confiscation, they ought at least to abstain from blaming those who condemn it. The Government, for one thing, has its settled conviction, and openly declares it; its adversaries have none, or, having, do not dare to express it. Becoming the aggressor, in turn, he smartly reproaches Mr. Vernon Smith, Minister for India under Lord Palmerston, and Lord Ellenborough's predecessor, with not having communicated to the latter a private letter addressed to him by Lord Canning, under the belief that he was still in office, in which he informed him of his (Lord Canning's) intention to publish his proclamation. The constant and natural usage requires that the outgoing Ministers should communicate, without exception, to their successors, all documents which may reach their hands subsequently to their retirement. Lord Clarendon had so acted, quite recently, in the case of Lord Malmesbury. In forsaking this customary course Mr. Vernon Smith had deeply offended public opinion, and caused a great deal of recrimination within and without the walls of Parliament; and although the letter in itself did not really contain anything of importance, the malevolent and derisive manner with which the explanations which he had been several times obliged to repeat respecting this matter were received by the House must have presented to the minds of attentive observers the first symptom of a break-up among the majority, and of the uncertainty of the result so positively predicted. It was in the course of this first debate, also, that Lord John Russell came forward to reinforce the Opposition by his important suffrage, giving his support to the motion of censure, insisting in the solidarity of the Government with the act of Lord Ellenborough; on the danger which that act was calculated to bring on the security of the British possessions in India; finally, on the moral force which would result for his adversaries from the censure cast on the annexation of Oude. Strengthened by so desirable an adhesion within the House of Commons, and assured, without, of the still more efficacious support accruing from the circulation of the *Times*, the two-fold cause

of Lords Canning and Palmerston still had every chance of a speedy and complete success.

32. *Second Day.*—*Mr. Roebuck's vehement frankness.*—*His fallacious maxims.*—*Effect of his Speech on Lord Palmerston and the House.*—*Analysis of the other Speeches.*

However, during the debate of the following day, (17th of May) a member, who sits near Lord John Russell, rose to oppose him ; in his person the fraction of the Independent Liberals was to make its appearance in the discussion. This was Mr. Roebuck, one of the most bold, most favorably heard, and most popularly eloquent speakers in England. He it was who had dealt such heavy blows to the foreign policy of Lord Palmerston when the latter was in power, and he now came forward, once again, to endeavor to defeat the noble lord's tactics and to counteract his plans. Mr. Roebuck falls too often into error of compromising the success of his ideas and the authority of his positions by enouncing opinions unreasonable in substance, and further expressed with a degree of rigidity and exaggeration which increase the repulsion they inspire. He did not take the pains to abandon this regrettable habit during the memorable debate in question. Alluding to the Bill which had been brought in, and the object of which was to deprive the East India Company of the government of Hindostan and to transfer it to the Crown, he went so far as to say that the Crown was a chimera and signified in reality the House of Commons, since the entire power attributed to the Crown was virtually exercised by the House.

The doctrine was at once imprudent and inexact, for it is dangerous thus to condense, under the form of absolute maxims, the gradual and qualified consequences of the development of liberty ; and if the preponderance for centuries past of the House of Commons is an incontestible fact, it is not the less false, on that account, to say that the power of resistance of the House of Lords has been annihilated and that the Crown does not possess an immense prestige, and authority by so much more solid that it is reserved for great occasion, and for solemn decisions. But Mr. Roebuck in the course of his speech took high grounds and raised himself above the vulgar preoccupations of a merely personal or national policy, for no one had as yet approached the question with so much frankness, no one had as yet signalized so exactly its importance, the sacred character of the principles which it involved, and that the danger of subordinating them to the party interests.

Mr. Roebuck, in addressing the Speaker, said,—“ Sir, a question of more importance was, perhaps, never submitted for discussion in any legislative assembly than that which now occupies the attention of this House. Sir, Gibbon, in his *History of the Decline and Fall of the Roman Empire*, enters into a discussion on the probable capacity of that empire, and in that magnificent *résumé* which he gives of the power and importance of the empire of Rome he says that the Italians and provincials taken together amounted to about 120,000,000, and he adds that that was the largest community of men ever subject to any system of domination. But, Sir, our Indian empire leaves this far behind. There are not only 120,

000,000, but I think the persons who are influenced by our dominion in India amount to nearly 200,000,000, and there is now submitted to the consideration a question involving the happiness of this large section of the human race; for we have now to determine whether this dominion is to be guided by the great principles of honesty and virtue (cheers), or whether the power which we exercise is to be the only guide of our conduct, and that the object which we have in view is the sole aggrandizement of England. As an Englishman, I cannot help feeling strongly for the dominion, the happiness, and the power of my country; still, there are things which in my mind are even greater than England's importance, and one of these is that mankind should learn to recognize and practise the great principles of honour and virtue. At this present moment there is involved in our discussion this important question—shall we, in the furtherance of our dominion, for objects purely selfish, forget the great principles of virtue and justice. Shall we, in order to establish our dominion over what I may call the defenceless people of India, utterly regardless of that which civilization ought to teach us to regard—shall we, I say, pursue our own objects without any consideration of the principles which ought to govern us as a people? The motion made by the right hon. gentleman the other night is, I think, one of the most transparent of party manœuvres I have ever seen (loud cheers), and I have seen many transactions of that sort. At the very time when we are so discussing this matter of the government of India there comes before us a mere matter of party politics. (Cheers.) We meet the happiness of 200,000,000 of men, and we reduce the question to the consideration of this bench and that. (Renewed cheers, and “No, no!”) No, no! Is there any man, so utterly void of consideration of what is going on around him and of what is being enacted before his eyes—is there any man so like a blind puppy (a laugh), as not to perceive that what we are fighting for now is not the happiness of India, but the government of this country? (Cheers.) But, Sir, let us, if we can, forget these party politics; let us, if we can, consider this question as affecting the happiness of 200,000,000 of human beings.”

Be it said to the honor of the assembly which these words, pronounced with emotion, and with the effort of a speaker evidently suffering from ill health, that each of the foregoing sentences was followed by energetic applause, and not a single murmur betrayed the susceptibilities of a disturbed or offended patriotism.

After having established and confirmed the distinction, already announced by Lord Ellenborough, between the rebellion of the Sepoys and the war in which the inhabitants of Oude had engaged, he expatiates on the folly and criminality of the confiscation, and thus sums up his opinions:

“If you want to pacify India it will be by the course pointed out in the despatch of Lord Ellenborough. It has been said that this despatch ought to be printed in letters of gold. Sir, I believe so. That was an honest despatch; and I do not know my own countrymen if they do not come to the same conclusion. (Cheers.) I entreat my countrymen to remember that there are things above party. If they are to consider mere party moves I will ask them what they will get if the Government are in a minority to-night? Why, a Government that we have cashiered lately (loud cheers), because they neglected the honour of England. (Continued cheering.) We are to allow hon. gentlemen on this side of the House, after passing a few weeks in the cold regions of Opposition, to go in State across to that (the Treasury) bench. (Cheers.) And for what? Do the

people of England expect any change in the policy of the late Government? If they do they are woefully deceived. Sir, I believe that good government, that happiness for the people, that the advance of liberal measures, which we all desire, are more to be obtained from that weak Government (pointing to the Treasury bench) than from the strong insolence of this."

And thereupon he pointed his finger, in the midst of applause, at the bench where sat Lord Palmerston, impassive and serene, surrounded by his ancient colleagues.

Several among these latter, and particularly Sir Cornwall Lewis, formerly Chancellor of the Exchequer, and Sir Charles Wood, formerly Lord of the Admiralty, made every effort, and not without talent, to restore the question to the narrow ground from which Mr. Roebuck's vehement frankness had diverted it. But I cannot find, with the best intentions to be impartial, anything in their speeches worthy of being quoted. Like all the advocates of the votes of censure, they dwelt on the situation in which Lord Canning had been placed, and on the ingratitude evinced towards a man who had saved and reflected honour on British rule in India. Less reserved than the resolution itself, they went so far as to defend the Proclamation, in so far as the confiscation pronounced by it was, according to them, only to be put in force, not against the mass of the rural population, but against rebel proprietors, whom violence and usurpation had put in possession of their estates. The Ministerial speakers maintained, on the contrary, that, besides the great talookars and zemindars who represented the territorial aristocracy, there existed in Oude a crowd of petty landed proprietors, using alternately the sword and the plough, and who evidently would be affected, as well as the great feudatories, by the absorption of all right of property in the domain of the State.

33. *Young Sir Robert Peel.—His telling smartness.—Invective against Lord Palmerston.—Peel's advanced Liberalism.*

It must be confessed that these contradictory but important details in the nature of information were less listened to than the concentricities of young Sir Robert Peel, who ever since his entry into public life has availed himself of the great name he bears to arrogate the privilege of telling disagreeable truths to every one with a smartness and absence of all ceremony, against which people bear up with difficulty. On this occasion, however, his violent invective against Lord Palmerston, whose subordinate he had long been, in the career of diplomacy, and in the Administration did less harm to his illustrious adversary than to himself; but he was more successful when he pointed out, without circumlocution, to the antagonists of the Ministry, a danger which began to loom in the horizon. This danger lay in a dissolution of the House of Commons an extreme measure, no doubt, coming so soon after the dissolution which had so recently taken place, but which the Earl of Derby possessed the right of proposing to the Queen, in order to put the country in a position to decide between its policy and the hostile majority in Parliament. In this respect Sir Robert Peel expressed

an apprehension which gained ground every day ; and he distinctly announced, in the name of the advanced Liberalism which he professes, the hope and the certainty of seeing the Liberal electors side with the great principles of justice and humanity proclaimed in Lord Ellenborough's despatch, rather than with the manœuvres of a party which sacrificed its principles to the feverish impatience of a resumption of office.

CHAPTER VI.

THE "DERBY DAY" ON EPSOM DOWNS.

34. *Singular Parliamentary Interruption.—Adjournment for the Epsom Races.—Lord Derby's horse Toxophilite.—A day on the Downs with 250,000 people.—English Amusements.—Insignificant Police force.*

However, in the midst of these debates, which pre-occupied, in so great a degree, the attention of all England, which invited the intervention of all distinguished public men, and which revealed a position growing more and more uncertain upon the old and new parties, between whom the government of the country is shared, an interlude presented itself which paints the British character too well not to find a place in this narrative. At the opening of the sitting on the 18th of May; Captain Vivian, an adherent of Lord Palmerston, proposed to the House to adjourn till the 20th. He counted on the support of his motion by all the Ministerial and conservative party, and he presumed that Mr. Disraeli, the Chancellor of the Exchequer and leader of the House of Commons, who has so often drawn from his quiver the pointed arrows of his eloquence, to launch them against his political adversaries, would entertain a lively desire to witness the exploits of another *archer* in another arena.

What might this strange interruption mean ? It meant that the day after the Epsom races were to take place, which have for principal attraction the great annual prize which is called (it is not known why) "the Derby ;" that Lord Derby, who is at once the First Minister, first orator and first sportsman in England, was a competitor for this prize ; that the horse (his own) he backed to win it was called Toxophilite (which, in Anglo-Greek, signifies *archer*) ; and, finally, that this race is an object of popular, one might say of national interest, in which the upper and lower, political and commercial classes take part with the universal and passionate anxiety which the ancient Greeks and Romans, and the Spaniards of modern times, have shown for analogous but less innocent spectacles. "These are the Olympic games of England," said Lord Palmerston one day : and it is the most exact definition which can be given of them.

The House unanimously adopted Captain Vivian's motion, and broke up to proceed *en masse* to Epsom Downs. Prepared speeches were thrust into the pocket, and eloquence hung up on the same peg with party spirit. Every one agreed to forget for one day England and India. Whether India was to be governed by confiscation or by conciliation, whether England was to keep Lord Derby for Prime

Minister or not, was no longer the question, but whether Lord Derby's horse should win the race that bore his master's name, and in the issue of which the whole country was interested.

Since the Sovereign House of Commons thus bids good bye for a day to serious affairs, let us do likewise ; let us follow it to Epsom, and let us join a group of members quite resolved to vote against each other on the morrow, but still more resolute to amuse themselves together to day, the jovial eve of a decisive battle.

It has been well said that he who has not seen the Derby has not seen England ; and for that reason people are less in the right who incessantly repeat that an Englishman does not know how to amuse himself ; or, at least, to amuse himself with spirit, and with order and decency at the same time. Whoever has seen 200,000 or 300,000 inhabitants of London and its neighborhood assembled under a fine spring sun on the green slopes of Epsom Downs ; whoever has wandered among all these equipages of every possible class, among these sheds, these bands of music, these open-air theatres, these tents with their fluttering streamers, this sea of bipeds and quadrupeds, returns home thoroughly convinced of the truth of two things generally but little received—first, the honest and communicative gaiety of the immense majority of the numerous throng ; secondly, the great degree of equality which brings together, for this day at least, conditions of society usually the most distinct and apart from each other. Princes of the blood and peers of most ancient pedigree elbow grooms in the crowd and others of low degree, and even take part in the popular games which occupy the irksome interval between the races. Nowhere, not even among us in France—is seen a greater mingling of ranks ; nowhere else, too, a gaiety, good humour, and decency resembling more the same qualities which distinguish in so honorable a manner our popular masses when they abandon themselves to their periodical and official amusements. In the midst of this joyous and animated throng one might believe one's self in France. But this illusion speedily vanishes when one remarks the absence of everything like an official programme, of all interference on the part of the authorities. It is individual industry which has done it all—announced everything, foreseen everything, regulated everything ; the subscriptions collected to defray all expenses are spontaneous. A mere handful of policemen, without arms, and lost, as it were in the midst of the throng, reminds one of precautions taken against an interruption of order. By these features we instantly recognize England.

35.—*The Earl Premier.—His ancient descent.—Prestige of his name on the turf and among his Peers.—Marshal Pelissier.*

On the way to Epsom, as during the preceding days, every conversation turned on the odd coincidence between Lord Derby's political destiny and his luck as a racing man. As on the evening before, his name was on every lip, and in the issue of the race about to come off people took pleasure in accepting an omen of his victory or his defeat in the division to take place the day after. An opinion, rather generally credited, circulated to the effect that the noble lord was far

more solicitous for the success of his horse than for that of his party. The public credence was slight in his relish for the cares and fatigues attaching to that office of Premier, already once filled by him, the loss of which seemed to have inspired him with little regret, the possession of which could hardly add another charm or fresh lustre to his lofty and impregnable position as a great peer and a great orator. Head of one of those families, very few in number, of the English aristocracy which date from the time of the Plantagenets, fourteenth earl and peer of his name, Chancellor of the University of Oxford, placed, by a fortunate union of rank and talent, among that knot of men who are beyond all reach of rivalry, of whose names none are ignorant, whose merits none contest, there remains for him no social distinction to be acquired, not even the blue riband of the Garter. But the blue riband of the Turf (it is thus that the prize which bears his name at the Epsom races is designated) appears to every one, and to him in particular, the legitimate and natural object of his ambition! Shall he win it or not? That is the question the solution of which tasks every mind and seduces into the midst of the crowd all the notabilities of politics and diplomacy, among others Marshal Pelissier, who represents so worthily our country and our army, and enjoys among our neighbours a popularity so great and so justly merited.

36. *Graphic sketch of celebrated personages present.—Their absorbing interest in scene.—The crowning race.—Lord Derby's loss of the "Blue riband."—Prognostics therefrom.*

Let us follow them into the paddock—that is, a reserved space where the horses entered for the race are exhibited previous to the start. Attention is momentarily attracted to this or that horse, but it is Lord Derby and the horse that carries his fortunes that fix every eye. There he is! Which of them? The man, or the horse? Both are there, but hardly has the horse made his appearance when the owner is forgotten. The celebrated animal is walked slowly to and fro, as if to display in detail all the points which are to assure victory to him, to his master, and to the innumerable host of betters who have risked their money on his back. A numerous group of political personages, intermingled with connoisseurs of another order, follow with comical gravity, and a sort of religious attention, every movement of the animal. I had the satisfaction to recognize among them one of the most ardent defenders of Church and State, an Anglican of the old block, the same who some time afterwards was destined to do me the honor of signaling me to the House of Commons as an advocate of the cause of civil and religious liberty, only with a view to reduce England and France under the domination of the Jesuits. He seemed to have completely forgotten the danger of the Established Church and the formidable progress of Popery, to such a point was he absorbed by the contemplation of Toxophilite's paces.

After some insignificant interludes, the crowning race commences; 24 horses start together. How shall I paint the devouring anxiety, the tumultuous swaying to and fro of the crowd, the forward spring, the rustling of the hundred thousand persons whose eyes and hearts

are concentrated upon a single object? The disinterested stranger involuntarily recalled his *Virgil* to mind, and the immortal verses of the fifth book of the *Æneid*, which have familiarized every one of liberal education and every cultivated mind with so many insignificant details for ever enobled by the epic muse. The race, which was run over a space three quarters of a league, lasted less than three minutes. For an instant, thanks to an inequality of the course, all the horses disappeared from the view of the spectators; when they again came in sight the different chances of the rivals began to declare themselves. One moment more of devouring anxiety, a hundred thousand heads turned towards the winning-post. Fate has decided, it is not Lord Derby who has won. His famous horse is only second. The "blue riband" escapes him; the cup has been won by the horse of a baronet unknown, who has realised at a stroke something like £40,000.

In this unexpected check to the Prime Minister at Epsom every one saw a prognostic of the political defeat which awaited him at Westminster.

CHAPTER VII.—CLOSE OF THE GREAT DEBATE.

37. *Feverish anxiety of the Public mind.—Predicted defeat of the Derby Ministry.*

Everyone's mind returned the day after this holiday to the pre-occupations that engrossed its eve, and plunged anew into the great struggle, the issue of which was to exercise so vital an influence on the destinies of England and of India, and on the future of those 200,000,000 of souls, of whom Mr. Roebuck has spoken with such noble eloquence. It was not merely in Parliament, or in high society, or in exclusively political circles that this ardent curiosity was bent on divining the results of the debate. The entire country, represented by all that it contained in the form of intelligent and well-informed men, followed, with feverish anxiety, the different incidents of the conflict, and identified itself with its slightest details, thanks to the powerful and useful air of the press, which causes to penetrate into the humblest hamlet a detailed and perfectly accurate report of the Parliamentary debates. It does more; it accompanies them with commentaries, which sum up and reproduce those debates, adding thereto arguments often more conclusive and more original than those of the speakers. It is in this way that it awakens the conscience of the country, that it invites and occasions the intervention of all in the affairs of all, and that it proclaims, while it regulates, the direct action of the country on its representatives and its chief. What wit and science, what irony and passion, what talent and life have been poured forth during this fortnight through the voluminous columns of the English newspapers!

They always predicted, with unvarying confidence, the certain defeat of Government, and promised themselves a majority so considerable and so significant as to render all idea of dissolution useless and

devoid of sense. Nevertheless, some symptoms of dismemberment already manifested themselves in the midst of the majority which had been so confidently counted on. Its chiefs, in traversing the ranks of their phalanx, could already remark the expressive silence of some, the increasing hesitation of several. The debate had evidently shaken, if not altogether changed, many opinions entertained from the first. All its brilliancy, all its strength had been on the side of the adversaries of the vote of censure. Its partisans had scarcely raised themselves above the combinations and recriminations of party spirit. The result was still more visible during the sitting of the 20th of May.

38. *Sketch of Messrs. John Bright and Frederick Lucas.—Bright's famous Speech.—His growing popularity.—His Attack on Lord John Russell.—Closing appeal.*

Mr. Bright, who disputes with Mr. Gladstone the palm of eloquence and the attention of the House, brought, on the Thursday, to the good cause the powerful aid of his opinion and increasing authority. Mr. Bright is a member of the Quaker sect; he is brother-in-law of that Frederick Lucas who, born in the same sect, became a Catholic, and in addition, the most energetic advocate of his new faith. Hardly had he entered the House of Commons when Lucas there took up a position beyond the reach of rivalry; everything predicted in him an orator and party leader who should equal, or, perhaps surpass O'Connell; a premature death left behind the remembrance, still vivid, of the invincible charms of his language, and of the energetic uprightness of his convictions. Mr. Bright, like his brother-in-law, taking up a position outside of all old parties, and bordering on the road which leads to power, has not ceased to grow greater in public esteem, despite of the temporary unpopularity which attached to him in consequence of his opposition to the eastern war. Every one blames and regrets his exaggerated attacks against English manners (*mœurs*) and English institutions, attacks of which he himself is the living and brilliant contradiction; but every session has seen his ascendancy increase, and this Quaker is to-day one of the three or four most interesting personages, and most listened to, in England. It was a question put by him which provoked the publication of the famous despatch. It was but just that he should now defend it. This he did with an energy, an accuracy, a simplicity of argumentation and of demonstration well fitted to carry conviction, rapidly and triumphantly, into every impartial mind. He also knew how to find skilfully the weak point in the armour of the Whig resolution, abstaining the while from expressing any opinion of Lord Canning's proclamation.

"I will call the House to witness whether, when, in answer to my question which brought out this despatch, the Chancellor of the Exchequer said that with respect to the policy of confiscation—for that is the only thing in the proclamation about which there is any dispute—the Government disavowed it in every sense,—I call the House to witness whether every gentleman present down here (below the gangway) did not cheer that sentiment. (Cheers.) Why, of course, every man cheered it. They would not

be men, they would not be Englishmen, they would not be English legislators, if they had not done so. They would be men who had never heard what was just and right if, at the very instant they heard the declaration of the Government, every instinct within them did not compel them to an enthusiastic assent. (Hear, hear.) It was only when the fatal influence of party (loud cheers), and the arts that party knows how to employ (renewed cheering), were put in motion that hon. gentlemen began to discover that there was something serious and dangerous in this memorable despatch. Now, I would ask the House—because that is the question—are we prepared to sanction the policy of that despatch? I am sorry that it did not occur to me until after the amendment now before the House was proposed, or I would have moved an amendment expressly upon that point; because I feel—I speak it without the slightest reference to the influence it may have on any party in this House—that it is of the very highest consequence that whatever decision we come to shall be incapable of any misinterpretation when it arrives in India.”

Here turning to attack the most redoubtable adversary of the despatch—Lord John Russell—he evoked against him, with felicity and justice, the remembrance of his own errors, and the imprudence committed by him in criticising tartness or harshness of language, expressed by no matter whom. He reminded him that he (Lord John Russell), on the occasion of the restoration of the Roman Catholic hierarchy and the arrival of Cardinal Wiseman in England, had addressed a letter, published, to the Bishop of Durham, which had given the signal for a considerable agitation, and sown the seeds of a strife which still endures. “The noble Lord,” said our intrepid Quaker, in whose person the Dissenter pierces through the political orator, “has blamed Lord Ellenborough’s despatch on account of its tone of invective and sarcasm. But the noble Lord ought to have been exceedingly reserved on that point, for he lives in a glass-house more fragile than any of ours. When he takes up his pen no one can foresee what he may give to the public. I remember a very extraordinary letter of his, which he doubtless intended to be very proper in its phraseology, to a bishop. (Renewed laughter.) I am not anxious to deal severely with the noble lord, but when a grave statesman writes to so holy a man as a bishop, one might at least expect that he would avoid sarcasm and invective. (Great cheering and laughter.) Yet, in the letter to which I refer, the noble lord hurled his sarcasm and invective against some 6,000,000 of his fellow-subjects, and did great mischief to the peace of the united kingdom at the time. (Cheers.) I can tell the noble lord of another letter, in which there was not much sarcasm or invective, but an amazing amount of insinuation of the most unpleasant character. It was written, not to the Governor-General of India, a proconsul 10,000 miles away, but to a nobleman filling one of the most delicate and difficult offices connected with the home government of the united kingdom. Upon that occasion the noble lord transgressed further, for in the most heedless manner, when nobody asked him, he published the letter, and thereby for a long period weakened the hands and damaged the character of the noble viscount, the member for Tiverton [Lord Palmerston]. (Cheers and laughter.)”

The House received with marked sympathy and with prolonged applause these passages, and others still, which we must omit in order to arrive at the conclusion of the speech, in which the eloquent and honest man whom we listened to with so much emotion, attacked alike the tactics employed by the former Ministry to recover power by the aid of a complication of external events, and the inhuman incitements of the English press to renewed executions.

"Now, I ask, is the House prepared to overthrow the Government on this question, which the right hon. mover had placed before it in ambiguous terms, and is it ready to plunge the country into the turmoil of a general election, at a moment when the people are only just slowly recovering from the effects of a most tremendous commercial panic? (Cheers.) Is the House willing to delay all Indian legislation and all discussion on reform till next year? (Hear, hear.) Above all, is the House willing to take upon itself the responsibility which will attach to it if it avows the policy of the proclamation? I am terrified for the future of India when I hear of the indiscriminate slaughter which is going on there. I believe that the whole of India is trembling with volcanic fires, and that we should be guilty of the utmost recklessness, and of a great crime against the monarchy of England, if we were to do anything which would be an avowal of the proclamation that has been issued. [Cheers.] I am asked on this question to overturn Her Majesty's Government. Why, the policy adopted by the Government on this subject is the policy that was cheered by hon. members on this side when it first announced. [Hear, hear.] It is a policy of mercy and conciliation. False—may I not say?—or blundering leaders of this party would induce us, contrary to all our associations and all our principles, to support an opposite policy. I am willing to avow that I am in favour of justice and conciliation,—of the law of justice and of kindness. Justice and mercy are the supreme attributes of the perfection which we call Deity, but all men everywhere comprehend them. There is no speech nor language in which their voice is not heard, and they could not have been vainly exercised with regard to the docile and intelligent millions of India. You had the choice. You have tried the sword. It has broken; it now rests broken in your grasp; and you stand humbled and rebuked. [Some cries of "Oh! oh!" from the Opposition.] You stand humbled and rebuked before the eyes of civilized Europe. [Renewed cries of "Oh!" and cheers.] You may have another chance. You may, by possibility, have another chance of governing India. If you have, I beseech you to make the best use of it. Do not let us pursue such a policy as many men in India, and some in England, have advocated, but which hereafter you will have to regret; which can end only, as I believe, in something approaching to the ruin of this country, and which must, if it be persisted in, involve our name and nation in everlasting disgrace. [Loud and continued applause.]"

39. *Sir James Graham. — His party prominence. — His powerful Speech.—Summing up the issues of the great debate.—Virtually deciding the contest.*

After a speech of such power, immensely applauded, one might well expect to see, at length a speaker rise on the other side, capable of avenging the cause of the resolution of censure, and vindicating it against overwhelming attacks. But the expectation was vain. None presented themselves, except second or third rate com-

batants, whose inferiority became more evident, when Sir James Graham arose to defend the same thesis as Mr. Bright. Long invested with the highest functions in the Ministries at the head of which respectively were Lord Grey, Sir Robert Peel, Lord Aberdeen, and lastly, Lord Palmerston, he occupies, with Mr. Gladstone, the first rank in the Peelite party. He began by declaring, in the name of the venerable Aberdeen—a particular friend of Lord Canning, as of himself—that Lord Canning, whose fair renown might appear to have been compromised by the premature publication of Lord Ellenborough's despatch, had received, by the spontaneous resignation of the latter Minister, a reparation amply sufficient and that the Government had acted towards him with great moderation in not recalling him. He then laid great stress on a fact, the news of which had arrived that very day, the energetic protest directed against the proclamation by Sir James Outram—that is, by that very one among all the English Generals who had himself effected, under Lord Dalhousie, the annexation of Oude, who was still in command there, and who, during the last campaign, had attracted universal admiration by consenting, like our own Boufflers, at Malplaquet, and Lord Hardinge in Affghanistan to serve as a volunteer under the orders of his subordinate, that subordinate being no other than Havelock, whom he did not wish to deprive of the glory of a victory already half-gained. In aid of these imposing testimonies Sir James Graham brought to bear all the weight of his own personal authority in his attack against the theory and practice of political confiscation. Calling attention to the warnings given by Machiavel, the great doctor in the science of State crime, who taught that individuals and communities more willingly pardon those who have robbed them of their patrimony, he cited, in addition the authority of the Duke of Wellington, who, addressing himself to his successor in India, recommended him, above all things, to respect private rights and individual property. Then, contrasting the example of Napoléon I. with that of his conqueror, he referred to the energetic resistance, narrated in a recent publication by M. Villemain which the Emperor encountered from his most faithful adherents, when, during the Hundred Days, he wished to fulminate from Lyons, a decree of confiscation against thirteen of his principal adversaries. His Grand-Marshal Bertrand, the honestest and most faithful of his friends, the companion of his last perils and last misfortunes, refused, in spite of his master's injunctions and entreaties, to countersign the fatal decree. "Those," said he, who advise you to begin anew a *régime* of proscription and confiscation are your worst enemies, and I will not be their accomplice." Labedoyère added, "If the system of proscription and sequestration re-commence, all that will not last long." Sir James summed up his own opinions, and, it may be said, the entire debate, in these terms:—

"The general conclusion at which I have arrived may be briefly stated. I think the proclamation is substantially wrong; I think the despatch is substantially right. (Cheers.) The error of the proclamation is in its essence; the error of the despatch is in its form and expression. (Renewed cheering.) Upon a former occasion the right hon. gentleman the member

for Radnor said that the neglect of the Government with respect to the publication of the despatch almost amounted to design. Was ever a Government dismissed yet for neglect almost amounting to design? (Cheers.) A change of Government being sought, I am bound to ask those who naturally aspire to succeed to the present Ministers what is their policy? (Cheers.) Are they for the proclamation, or are they for the despatch? (Continued cheering.) In other words, are they for confiscation, or are they for amnesty—amnesty in the sense of Sir John Lawrence? (Hear, hear.) The battle still rages in India; that sea of fire is unquenched. Who was the person placed as permanent secretary at the Board of Control by Her Majesty's late advisers? Sir George Clerk. What does Sir George Clerk say upon this subject? He says that the ship cannot be righted unless the proclamation is thrown overboard. (Cheers.) He goes further, for he says that you cannot permanently hold India if the principle of confiscation be established by the British Government. (Hear, hear.) So, in the very words of the despatch which is so much blamed, I say that we shall not be able to hold India if the entire population, on account of the principle of confiscation, think they are subjected to British dominion at the expense of legitimate rights. (Cheers.) Adopting that opinion, I have to consider what is the real object of the present motion. (Hear, hear.) I have no friend in whose honor or word I trust more implicitly than I do in the honor and word of the right hon. member for Radnor; and he has told us that he does not believe that this motion has been brought forward with any party object whatever. (Laughter.) We all know that men congregate and make treaties of friendly and offensive alliance, deliberate on plans of attack, and probably on the division of the spoil; and to tell me that there is no party object in this motion is to draw on my small stock of credulity, and make me sceptical and an unbeliever. (Cheers and laughter.) Three months have hardly passed by since by a deliberate vote of this House we expelled the late Government from power; and are we prepared to reinstate them upon such a motion as the present, wherein the principle which has been asserted by Her Majesty's advisers is not explicitly or openly condemned? Can I be a party to any such vote, entertaining the opinion I have expressed in this House? I cannot do it. All my party wishes still linger about --- (Cries of "Oh!" from the Opposition.) An hon. gentleman on the front Opposition bench sneers at this. I say at once that whatever others may be I am no candidate for power. (Cheers.) I exercise a most dispassionate and disinterested judgment, and let those who sneer on that bench make the same declaration, (Loud and repeated cheers.) I never gave a vote with more pain or regret in my life. ("Oh, oh!") I never discharged a public duty with a more clear conscience. (Cheers.) I would gladly have voted for the previous question, and I gladly and cordially adopt the amendment of the hon. member for Swansea. If that, however, be rejected, I shall reluctantly, yet unhesitatingly, give my vote against the motion of my right hon. friend the member for Oxford. Loud cheers.)

40. *Public expectation on tiptoe.—Excitement in the House.—Final Victory.—Lord Palmerston's strategy.—Closing scenes.*

After these two speeches the cause of justice and truth was, morally speaking, victorious. However, the issue of the deliberation was still uncertain; some great speakers were still to be heard—on one side, Mr. Disraeli, leader of the House of Commons, and Mr. Gladstone, the most eloquent of its orators; on the other, Lord

Palmerston, with all the inexhaustible sources of his intellectual eloquence. Public anxiety had reached its height, and on the day after the (21st of May), the last day of this great conflict, the crowd of members and of spectators, huddled together in the narrow precincts of the House, surpassed all that had ever been seen theretofore. Stationed in the gallery reserved for the Peers and strangers of distinction, Lords Derby and Granville, seated side by side, seemed to pass in review their two armies, while waiting for the decisive engagement which was to decide the lot of both, and to make them pass from one side of the neighboring House to the other. An electrical agitation reigned in the ranks of the Assembly. But, lo! at the very opening of the sitting an unexpected spectacle presents itself. A member rises from the Opposition benches to request the proposer of the motion of censure against the Government to withdraw it. Mr. Cardwell, surprised by this abrupt proposition, flatly refuses. Instantly five or six other members of the Opposition successively renew the same summons. It was the symptom of the internal division which had been at work since the commencement of the debate, and of a defection which was becoming more and more dangerous. The army which had been so sure of victory began to give way. Mr. Cardwell still hesitated. Thereupon General De Lacy Evans, one of Lord Palmerston's oldest partizans, declared that for him, he should propose a motion directly censuring Lord Canning's proclamation, and disapproving the confiscation policy. Another Opposition member declared that, if a division were persisted in, there was no other course open to him but to bid good-bye to the proposer of the motion, and to quit the House. A third more simply frank, evoked the possibility of a dissolution, which would probably cause many partizans of the vote of censure to lose their seats. A whole hour passed away amid the strange and increasing confusion, and every moment the certainty of the humiliating defeat of the Opposition was becoming more apparent. To avoid this disaster Lord Palmerston took his resolution, and determined on retreating. To mask his retreat from the enemy, and putting forward, as a pretext, the effect produced by General Outram's protest, quoted on the debate of yesterday, and officially published on that very day, he, in his turn, requested Mr. Cardwell to withdraw his motion. The latter at length consented, amid the ironical cheers of the Conservative party. The day was decided and the campaign at an end without the reserve having been brought into action. The Ministry carried the day, although not a single Minister had spoken.

There remained nothing more for the Cabinet but to certify its victory, and to determine in advance its moral effect. This Mr. Disraeli accomplished with infinite address and triumphant modesty. He stated at the outset that it was not the Ministry who refused to accept battle, or who had to fear its result, neither was it the Ministry who had put its adversaries to rout. He acknowledged that the battle had been won by men who were neither members nor adherents of the Government—by Mr. Roebuck, Mr. Bright, and Sir James Graham, whose independence, talent and authority had thrown the most brilliant light upon the debate, and modified the preconcei-

ved opinions of a portion of the House. Resolved, for the rest, not to abuse success, and not to drive his adversaries to extremities, he declared that as long as Lord Canning should act conformably with a prudent and conciliatory policy, which was recommended to him, and which he had so long generally carried out, the Government would extend to him its confidence and support; for the rest, without waiting for the result of the debate, a telegraphic despatch to that effect had been already forwarded to him.

Mr. Gladstone, Lord John Russell, and Mr. Bright in turn, rose to congratulate the House, according to their respective views, on the un hoped-for conclusion of the debate, and to certify as well to the justice done to Lord Canning as to the principles universally recognized in favor of clemency and moderation in India. After which the House adjourned for the Easter holidays.

41. *Montalembert's reflections on quitting the House.*

Reflecting upon the debate which had concluded, M. de Montalembert says:—"Humanity, equity, the rights of the conquered and the feeble had found for champions the most intrepid orators, and those most attentively listened to in an assembly the echoes of which resound through the whole world, and their voices would penetrate even to the banks of the Ganges, to restore there, in their integrity, the laws of honorable warfare and the conditions of civilizing conquest:—

"Ille, super Gangem, super exauditus et Indos.

"Implebit terras voce; et furialia bella

"Fulmine compescet linguae."

[In tones heard beyond the Ganges and the Indias he shall fill the world with his voice, and check much wars with the thunder of his tongue.]

In a word, moral force had been openly and nobly preferred to material force by the organs of a great nation which is able and willing to do its own business; which nothing depresses or frightens; which sometimes deceives itself, but does not drive to extremities either events or men; finally, which knows how to manage everything and repair everything, without needing to submit to tutelage or to seek safety out of its own virile and intelligent energy.

While these reflections encompassed me I quitted their great spectacle, full of emotion and contented, as ought to have been every man who sees in a Government something else besides an antechamber, and in a civilized people something more than a flock of sheep, docilely indolent, to be fleeced and led forth to pasture under the silent shadows of an enervating security. I felt myself more than ever attached to those liberal hopes which have always animated, through the most regrettable phases of our history, the *élite* of honest men, whom neither disappointment or defeat has ever bowed down, and who, even in exile or on the scaffold, have always preserved enough of patriotism to believe that France could, quite as well as England, endure the reign of right, light, and liberty. Noble belief! well worthy to actuate the most painful sacrifices, and which, although betrayed by fortune, deserted by the crowd, and insulted by cowards, does not the less retain its invincible empire over proud souls and generous spirits.

CHAPTER VIII.—EFFECT OF THE DEBATE.—THE PRESENT STATE OF ENGLAND.

42. *Opinion of the "Univers" on the English debate—its effect in India—Insincerity of the "outs" when "in" power.*

When I returned to France I read in the leading organ of the clergy, and of the new alliance of the throne and the altar, that all I had just seen and heard was "a farce played with great display of scenery," such as are often found in the history of deliberative assemblies. Happy country, thought I, and still more happy clergy, to whom such excellent information is given in such noble language!

Meantime, the debate of May last had produced a salutary influence in India. Lord Canning returned without difficulty to his former line of conduct, from which fatal counsels had diverted him. While setting forth the apology for the confiscation in the despatch of the 7th of June, which the papers have recently published, he did not the less re-enter on an indulgent and moderate policy. If we are to believe the latest accounts, the submission of Oude is gradually going on. [M. de Montalembert then describes the new India Board, and takes the opportunity of paying a passing compliment to Lord Stanley.] M. de Montalembert continues:—The *coryphée* of the Conservative administration underwent at this moment the chastisement often inflicted by Providence on statesmen whom political passions—I repeat passions, and not servile and factious greediness—have carried on to injustice and exaggeration. The power they have so eagerly coveted is one day granted to them, but on the condition of following precisely the same line which they made a reproach of their predecessors. Since their second period of office Lord Derby and Mr. Disraeli are occupied with doing all which they alleged as a crime against Sir Robert Peel. They accept, or they themselves propose liberal reforms which they have, or which they would to a certainty have combated if they had remained in the Opposition, into which they were thrown by the rupture with the illustrious chief from whom they separated when he admitted the necessity of tearing to pieces the old Tory programme and opening the doors of the future. The admission of Jews to Parliament, the abolition of qualification for the House of Commons, the promise of a new Parliamentary Reform more efficacious than all the recent propositions, indicate the steps which they have taken in this new path, and have naturally gained for them the sympathy of the Liberals, while by measures sincerely favorable to religious liberty in schools, in prisons, and in the army, they have acquired a sort of adhesion even among the more militant portion of the episcopacy and the Catholic press of Ireland.

43. *Importance of the defeat of Lord Palmerston and the "Times."*

But if the great debate on India has consolidated for some time this Conservative Ministry, it has rendered a service much more considerable to England and to Europe by confirming the defeat of Lord Palmerston. In spite of the skilful slowness of his retreat at the last hour of the combat, that defeat was not the less evident and

complete; and for the rest of the session the Chamber seemed to take pleasure in showing him that it had definitely thrown off his yoke. He will perhaps return to power, so long as the resources of his mind are abundant, and so long as the return to popularity in a free country is unforeseen and natural; but he will return to it with a lesson, if not a correction, and penetrated with the necessity of being more cautious towards his allies and his adversaries.

Another power, still more formidable than that of Lord Palmerston, has been vanquished in the struggle—the *Times*, pledged for two years back to the policy of the noble Lord, and which had devoted all its resources to the triumph of the plan of attack combined by the late Minister. It is impossible not to see in this fact, a conclusive proof of the national good sense of the English people. The incontestible utility of that immense engine of publicity, as the loud organ of every individual grievance, as well as the energetic stimulant of the public sentiment, would be more than counterbalanced by its omnipotence, if this omnipotence did not meet with a check, and never received a lesson. The equilibrium of constitutional powers would be seriously endangered by the exclusive preponderance of a single journal in which writers without mission and without responsibility speak as masters every day to the most numerous public in the earth. But, as I believe I have elsewhere proved, the empire of the tribune and its universal publicity are the necessary and efficacious counterpoise of this dangerous power of the press, and the debate on India has given a fresh and conclusive demonstration of the fact.

44. *The Middle Class the great ruling power in England—French and English Bourgeoisie.*

Let it be remarked that in all these various phases of English politics in our day there is no question whatever of the pretended struggle between the aristocracy and democracy in which superficial observers fancy they find the key of the movements of opinion with our neighbors. In England what in reality governs is the middle class—but a middle class much more largely established, and constituted after a much more hierarchial fashion than that which governed in France at certain epochs of our ancient monarchy, and during the existence of our Parliamentary *régime*. That middle class has never known the puerile fits of enthusiasm, nor the annoying and envious pretensions, nor the base abdications, nor the inexcusable panics which degrade the history of our *bourgeoisie*. That middle class esteems intelligence highly, but character still more. It seeks after and values wealth, but as the sign of social strength and activity. It abhors apathy and weakness, and consequently arbitrary rule, whether it be imposed or admitted. It will exist by itself and for itself; hence its instinctive and traditional repugnance to centralization and bureaucracy. On the other hand, it does not aspire to possess itself of the whole of the public functions, and to shut out above and below at the same time access to power against all that does not belong to it. It opens its ranks to all who raise themselves without contesting any elevation anterior to it or independently of it. It willingly consents that the aristocracy by birth, which for

age is recruited from its ranks, shall represent at home and abroad the public authority and the national grandeur, just as a powerful sovereign reposing in the tranquil and simple majesty of his power, willingly leaves to great men and lords the care of displaying the pomp of distant embassies, and obtaining the honor of onerous missions.

But it gives to understand that its will must be obeyed ; that no other interest shall enter into conflict with its own ; that no conviction shall prevail over its own. And it is not from to-day that this veiled but most certain sovereignty dates. For him who understands well the history of England, it has for two centuries existed, and ever extended. Amid the superficial division of parties it is the spirit of the middle classes which has ever directed those great currents of opinion of which dynastic and Ministerial revolutions are merely the official interpretation. The English patrician has never been other the active and devoted delegate, the interpreter and the instrument of that intelligent and resolute class in whom the national will and power are condensed. It is that class which Cromwell and Milton personified when, by the sword of one, and the pen of the other, the Republic sat for a space on the ruins of the throne of Charles I. It was from that class, and with it, that Monk brought back the Stuarts, and that 30 years later, the Parliament substituted for them a new royalty. It was that class which, with the two Pitts, raised from the beginning of the 18th century the edifice of British preponderance, and which with Burke saved it from being ruined and affected by the contagion of revolutionary doctrines. It was the same class which in our day opened under Peel a new era of policy—the melioration of the condition and the enlargement of the rights of the working classes.

From this arises the imperious necessity for that transformation of ancient parties which manifests itself in all the incidents of contemporary politics, and influenced the great debate of which I have endeavoured to give an account.

The real wants and the real dangers of the country are no longer to be found where people are in the habit of looking for them. Fifteen years ago it was predicted that the repeal of the corn laws and free trade would bring about an irreconcilable antagonism between the agricultural and manufacturing interests. The contrary is just what has taken place. The profits of the agriculturists have accompanied those of the manufacturers, and have often exceeded them. It was feared that the rural would be sacrificed to the town population ; on the contrary, it is the latter which, multiplying indefinitely awakens a feeling of solicitude as lively as it is legitimate, and constitutes England's social infirmity. In order to cure this evil it is not merely the Government, but the entire country, which struggles to seek out the remedy. Its generous efforts will be recompensed by success, if, as everything indicates, in order to meet the encroachments of pauperism, it should find means of keeping within bounds those of the bureaucracy and of centralization, which have destroyed or fettered liberty everywhere on the Continent, without being able to remove or check pauperism.

45. *Actual state of England.—Progressive reform.—England's danger is from without.—Her loss of Military prestige.*

I have already shown in these pages, and I hail again with joy, the most significant and most consoling symptom of the actual state of England—I mean the preserving ardor of the flower of the English nation in the pursuit of social and administrative reforms ; of amelioration in the state of the prisons, and that of unhealthy habitations ; in spreading popular, professional, agricultural, and domestic education ; in the augmentation of the resources set apart for public worship : in the simplification of civil and criminal procedure ; in toiling every way, for the moral and material well being of the working classes, not by the humiliating tutelage of uncontrolled power, but by the generous combination of every free agency and of every spontaneous sacrifice.

England's danger is not from within. She would be willingly viewed by some in the light of a prey to the threats of Socialism, and as forced to take refuge in autocracy. Ingenious panegyrists of absolute power have lately exercised lavishly their perspicacity by looking up, in obscure pamphlets, and obscure meetings, proofs of the progress of revolutionary ideas beyond the Channel. Those learned gentlemen have forgotten or, perhaps, never knew, all that has been said and done in this direction from 1790 to 1810, not in holes and corners, but in open day, with the tacit assent of a great Parliamentary party, and under the patronage of the most remarkable men in the country, while it was suffering from serious financial embarrassments from frequent mutinies in the navy, and from the formidable enterprises of the great captain of modern times. Every man who knows never so little of England cannot but smile at these selfish apprehensions.

No, England's danger does not lie in that direction. It is from without that she is menaced by the real perils to which she may succumb, and with respect to which she entertains an unfortunate delusion. I do not speak of the revolt in India merely, although I am very far from being reassured as to its final issue to the same extent that people in England seem to be : but it appears to me that she has more to fear from Europe than from Asia. At the close of the first Empire, Europe, with the exception of France, cherished an intimate accord with England, penetrated, moreover, as it then was, with the recent victories of the armies of the latter in Spain and Belgium. It is no longer so to-day. The English army has indubitably lost its *prestige*. Again, the gradual progress of liberal ideas in England, and the retrograde march of the great Continental States for some years back in the direction of absolute power, have marshalled the two political systems on two roads altogether different, but running parallel to each other, and sufficiently near to admit of a conflict taking place from day to day.

There exists, besides, against England in the minds of many, a moral repulsion, which of itself alone constitutes a serious danger. The English regard in the light of an honor, of a decoration, the abuse of that press which preaches fanaticism and despotism ; but

they would be far wrong in believing that there exist against them in Europe no antipathies other than those which they are right in considering an honor. Count de Maistre whom they ought to reproach themselves with not knowing sufficiently well, who never saw England, but who divined it with the instinct of genius, and admired it with the freedom of a great mind, has penned this judgment :—"Do not believe that I do not render full justice to the English. I admire their Government (without, however, believing, I do not say that it ought not, but it cannot, be transplanted elsewhere) ; I pay homage to their criminal law, their arts, their science, their public spirit, &c. ; but all that is spoiled in their external political life by intolerable national prejudice, and by a pride without limit and without prudence, which is revolting to other nations, and prevents them from uniting for the good cause. Do you know the great difficulty of the extraordinary epoch (1803), at which we are living ? It is that the cause one loves is defended by the nation one does not love."

As for me, who love the nation almost as much as the cause which it defends, I regret that M. de Maistre is no longer living to signalize with that anger of love which rendered him so eloquent the clumsy effrontery which British *egotism* has manifested in the affair of that Isthmus of Suez whose gates England would fain close against all the world, although, prepared in advance, she holds the keys at Perim. He would have been quite as well worth hearing on the subject of the ridiculous susceptibility of a portion of the English press regarding the Russian coal depot at Villafranca ; as if a nation which extends every day its maritime dominion in every part of the world, and which occupies in the Mediterranean positions such as Malta, Gibraltar, and Corfu, could complain with a good grace that other peoples should endeavor to extend their commerce and navigation.

46. *Common ground in Europe of animosity against England—her military weakness and inefficiency.—Liberty in danger.*

On one side, then, the legitimate resentments excited by the imprudent and illogical tendency of England in her relations with other States, on the other the horror and spite with which the spectacle of her enduring and prosperous liberty fills servile souls, have created in Europe a common ground of animosity against her. It will be easy for any one who may wish it to turn to good account this animosity, and to profit by it for the purpose of engaging England in some conflict, out of which she runs a great risk of issuing either vanquished or diminished. It is then that the masses, wounded in their national pride by unforeseen reverses, may raise a storm of which nothing in her history up to this can give an idea. To prevent this catastrophe, it concerns her not to blind herself any longer as to the nature and extent of her resources. Her military strength, and, above all, the acquirements in military science of her generals and officers, are evidently unequal to her mission. Her naval strength may be, if not surpassed, at least equalled, as it once was by our own under Louis XIV. and Louis XVI., as it will again, if our

honour and our interest should require it. She confides too much in the glory of her past, in the natural courage of her sons. Inasmuch as she is essentially warlike, she considers herself, wrongly, on a level with modern progress in the art of war, and in a position to resist superiority in numbers, in discipline, and in camp experience. Because in 1848 the bravest and best disciplined armies did not save the great Continental monarchies from a sudden and shameful fall before an internal enemy, she chooses to doubt that a good and numerous army constitutes the condition of safety against an enemy from without. For the very reason that she is free she believes, and wrongly, that she has nothing to fear from the enemies of liberty. No ! her institutions are not an impregnable bulwark, as Mr. Roebuck unreflectingly termed them on his return from Cherbourg. Alas ! all experience of ancient and modern times proves that free nations may succumb, like others, and even more rapidly than others. Liberty is the most precious of treasures, but, like every other treasure, it excites the envy, the covetousness, the hatred of those men who do not wish that others should possess an advantage which they themselves have neither known nor wished to possess. Like every other treasure—beauty, truth, virtue itself—liberty requires to be watched over and defended, with a tender solicitude and an indefatigable vigilance. All the inventions of which modern science is so proud are as useful to despotism as to liberty, and even more so. Electricity and steam will ever lend more force to strong battalions than to good reasons.

By substituting mechanical contrivances for the mainspring of morality, man's individual energy, the former invite and second the establishment of the empire of might over right. This is what the friends of England and of liberty ought never to lose sight of.

47. *England's incomparable industrial genius, and wonderful benevolent enterprize.—Vive la Reine ! God save the Queen !*

This is not the only ground whereon one does not feel reassured by the prodigies of that individual initiative, and of those spontaneous associations whose intrepid and inexhaustible energy makes the strength and the supreme glory of England. Everywhere else all the power and wealth of autocracy must avow themselves vanquished and eclipsed by that incomparable fecundity of private industry, which in her, without having been either incited or aided by the State, has hollowed out in the port of Liverpool floating docks six times as vast as those of Cherbourg ; built up, on the site of the Crystal Palace, the wonder of contemporary architecture ; fathomed the sea, to deposit amid its depths the telegraphic cable, and thus united the two great free peoples of the world by the language of that electric spark whose first spoken words have wafted in an instant across the abyss, and from one world to another, the hymn of joy of the Angels at the birth of our Saviour, "Glory to God in the highest, and on earth peace, good will toward men."

But it is not merely in the region of great industrial enterprise to

attract thither every eye, and to wring testimonies of admiration from the most unwilling mood, that those wonders of free and personal initiative manifest themselves. As for me, I feel myself much more excited, and still more reassured, when I behold it at work in the very bowels of society, in the obscure depths of daily life ; it is there one should see it extend its roots and develop its vigorous vegetation, in order to estimate correctly the value for the souls and bodies of a people of the noble habit of providing for itself, for its wants and its dangers.

M. de Montalembert concludes this remarkable pamphlet by pointing out the happy result of benevolent establishments and institutions for the instruction of the poorer classes, and citing the example of the People's Park at Birmingham, he says : the little girl of the charity school deposits her mite side by side with the bank notes of the rich manufacturer. The sum required is soon collected, the domain is purchased in the name of the new association, the old mansion, carefully restored, is destined as a permanent exhibition of the arts and manufactures of the district, and the great park, with its trees, the growth of centuries, is transformed into a place of promenade and recreation for the families of the working classes. Then, but only then, and when it is necessary to inaugurate this happy conquest of an intelligent and courageous initiative, they send their request to the Queen ; for all these little municipal republics set the greatest importance on showing that royalty is the key-stone of the arch.

All that great association, so proud and so sure of itself, knows well that it has nothing to fear from that sovereign power which is at once its graceful ornament and its faithful representative, and which, in turn, has nothing to dread from the active spontaneity of its subjects ; which does not pretend to hinder any emancipation, any development of individual independence ; which does not impose submission on energy, nor silence on contradiction ; and which, in truth, is no other than liberty wearing a crown. The 15th of June, 1858, the Queen obeys this touching appeal. She comes, and 600,000 working men hasten to meet her, issuing in myriads from every industrious hive of the districts of the black country—that is, from the Counties of Stafford and Warwick, where coal mines feed the great mineral works. They offer her the affectionate homage of their happy faces, of their free souls, and of their manly efforts for aggrandizement and freedom. The Queen traverses that mighty crowd of an enthusiastic population, and opens the new museum. She bestows knighthood on the Mayor of Birmingham, elected by his fellow citizens, by touching his shoulder with a sword, lent to her for the purpose by the Lord-Lieutenant of the County. She then causes to approach her the eight working men whom their comrades had indicated as the most usefully zealous in the common work, and says to them, “I thank you personally for what you have done to preserve this ancient manor, and I hope that this people's park will be for ever a benefit to the working classes of your city.”

As she was leaving, 40,000 children of the free national schools, and of various creeds, ranged along the way as she passed under the great oaks which had perhaps seen Charles I. beneath them, and they chanted together with an accent at once innocent and impassioned, which drew tears from many of those who were present, a hymn, in lines, rude perhaps, but the burden of which was—

“ Now pray we for our country,
That England long may be,
The holy, and the happy,
And the gloriously free.”

A state prosecution of Montalembert followed the publication of this brilliant Essay—of which we give an account in the following pages.

A curious point of resemblance between the two Napoléons is, perhaps, the attitude in which both have been seen with respect to two of the most prominent men of letters of their time in France. The persecution of Chateaubriand by Napoléon I. is duplicated in the recent trial of Montalembert at the instance of Napoléon III. Like Montalembert, Chateaubriand was, in the earlier years of Napoléon's reign, a supporter of his authority, and the resemblance is still maintained in the circumstance that each believed himself to be sustaining his own views in the person of his chosen sovereign. Chateaubriand accepted a diplomatic appointment in Italy, and Montalembert use his powerful pen in the support of Napoléon III. But the continuance of such alliances as these is almost an impossibility; and both Chateaubriand and Montalembert gradually withdrew their support. The murder of the Duc d'Enghien in March, 1804, cut short the connection of Chateaubriand with Napoléon I.; the confiscation of Orléans estates, in 1851, also, put an end to Montalembert's sympathy for Napoléon III.

Events, it is frequently said, repeat themselves; and precisely fifty years after Chateaubriand was silenced, the Count de Montalembert offends another Napoléon in a manner precisely similar, by wrapping up, in an article on a foreign country, the bitterest satires on his Government. But Napoléon III. dares more than Napoléon I.; Chateaubriand was precluded only from writing, Montalembert is subjected to a prosecution, vilified as a traitor to his country, and visited with the utmost rigor of the despotic law.

THE TRIAL
OF
COUNT DE MONTALEMBERT,
FOR A LIBEL ON THE FRENCH GOVERNMENT,
BEFORE THE
PARIS CORRECTIONAL TRIBUNAL,

24th of November, 1858.

Judges presiding at the Trial: M. Berthelin, President; MM. Laisvaux and Benoit, Judges of the First Instance; M. Glaudas. Judge substitute (*juge suppléant*).

M. de Cordœn, Imperial Attorney (*Procureur-Imperial*).

Long before twelve o'clock, the hour named for the prosecution, the Court-yard of the Palais de Justice showed signs of life. The morning was bitterly cold; a damp fog covered the atmosphere; but so early as eight o'clock groups of well-dressed persons, including several ladies, blocked up the doors of the Police Correctionnelle, and patiently awaited the hour of opening. It was half-past ten when the outer doors were thrown open. Some had no tickets of admission, and trusted to chance to obtain an entrance. The ticket-bearers were first admitted, but they had to wait another half hour before the doors of the 6th Chamber, where the proceedings were to be held, were opened. The Chamber, which is in the new buildings added to the Palais, is an oblong of limited extent, something about the size of an ordinary drawing-room, and could not have been intended to afford accommodation to a large number of persons. A considerable portion is railed off for the members of the Bar; and a few rows of benches for persons admitted by ticket, and between the barrier to the rear is a reduced standing room. Facing the entrance is a raised platform, with fauteuils for the judges, and writing tables before them; and behind is a space where chairs or benches may be placed for the accommodation of members of the magistracy who may not be on duty for the day. Immediately over the bench hangs a large painting of the Crucifixion in a gilt frame. When a witness takes the oath on his examination, he lifts his right hand and looks

at the picture, or at a crucifix, while repeating the words "*Le jure.*" Nearly on the same line with the picture, but on the wall to the right of the bench, is a bust of the Emperor, and close to it a clock. On the right also are three doors, which give access to the members of the Bar, who must present themselves in caps (a high round black one) and gown. The caps of the Judges are distinguished by a silver or gold band, according to their rank. Right opposite the bench is the principal entrance, which was guarded by *sergens de ville*, who are usually civil and attentive. The Chamber is lighted by three windows to the left of the bench, with movable panes at the top to admit the air. The raised bench of the Procureur-Imperial is to the left of the Judges.

In a very short time after the door was thrown open the Chamber was filled. One of the earliest to enter, and take his seat in front of the bench, was M. Odillon Barrot. His appearance excited some attention. The presence of another celebrity, M. Villemain, and the Duke de Broglie, attracted still greater attention. About half-past 11 M. Dufaure, the counsel for the publisher of the *Correspondant*, entered, and took his place by his client. As time passed on the eyes of all were fixed on the door by which the principal personages of the day were to enter. A few minutes before 12 a buzz was heard in that direction; the barristers and others who had blocked up the door were seen to look in one direction, and suddenly to clear the passage. M. Berryer, arrayed in full forensic costume, entered; he was followed by his illustrious client. Though still robust and apparently in good health, yet every one remarked the change which the last few years had wrought in M. Berryer's features. As those two distinguished men moved towards the spot where they were to take their places they returned the salutations of their friends, and for some time a constant buzz was kept up in the hall. Precisely at five minutes past 12 the ringing of a bell announced that the Judges were approaching. An usher of the court threw open the folding doors to the rear of the bench, and announced in a loud voice their presence. There were four of them, viz., M. Berthelin, the President; MM. Laisvaux and Benoit, Judges of the Tribunal of the First Instance; and M. Glandaz, a supernumerary or apprentice Judge (*juge suppléant*) besides the Procureur-Imperial and his substitute. When the Judges made their appearance the Bar and audience rose, uncovered, and remained standing until they took their seats. On the bench there were a large array of Judges, of different courts, and among them M. Benoit Chamfy, the President of the Tribunal of the First Instance. Seven or eight members of the *corps diplomatique* state on privileged seats under the bench. The disappointment among the many *grandes dames* of the Faubourg St. Germain who had asked for tickets must have been immense. There were very few ladies in court. I observed the Countess de Montalembert, with one of her daughters and a friend, and Madame Arthur Berryer. There were not more than four or five other ladies and two priests in Court. The proceedings commenced by M. President Berthelin warning the auditory that no marks of approbation would be permitted—a warn-

ing which, as the sequel proved, was not attended to. The President then announced that the Court was opened, and invited the Bar and the public to be seated. A cause was called, but was announced to be postponed à huitaine—that is, for eight days.

The name of Charles Douniol, the publisher of the *Correspondant*, was then called. He rose and presented himself at the bar. He was asked in the usual form his name, age, place of birth, profession, &c. To the question whether he admitted the publication of the article as *gérant* or director of the *Correspondant*, he replied that he had no knowledge that it contained any guilty matter; that he had acted with perfect honesty; and that the article was passed as usual by the Secretary of the Redaction. Some other questions of a similar kind were asked, and he was then desired to sit down. The President, after intimating to the audience that any sign of approbation or disapprobation would be at once repressed, and that any one detected in violating the order would be taken into custody and punished for contempt of Court, called upon M. de Montalembert to stand up. In the midst of the deepest silence, he did so, standing by his counsel, and his hand reposing on the desk, on which were laid some papers and a number of the *Correspondant* containing the incriminated article. The President said, "What is your name?" "Charles Count de Montalembert." "What age?" "Forty-eight." "What is your profession?" "Former Peer of France." "Where were you born?" "In Paris." "Do you admit the authorship of the article entitled *Un Debat sur l'Inde au Parlement Anglais?*" "I do. I admit the authorship, and assume all the responsibility of it."

He was then examined as to the meaning of the passages alleged to be libellous, and which I have already given. He was asked whether he did not mean to describe as the Imperial Government "the chronicles of ante-chambers, the atmosphere charged with servile and corrupt miasmata," and whether he did not mean by saying that he went "to breathe an air more pure, and take a life bath in free England," as an attack on the institutions of his country. M. de Montalembert said he meant no attack in the sense implied by the law; he merely stated certain facts, and it could be only by misinterpretation that such meaning could be attached to it. He was asked whether in the passage where he said "he did not pretend to convert those progressive spirits who regard Parliamentary Government as advantageously replaced by universal suffrage, nor the political optimists who profess that the supreme victory of Democracy consists in abdicating in the hands of a Monarch the exclusive direction of the foreign and domestic affairs of the country," and that "he wrote for his own satisfaction, and that of a small number of invalids, of the curious, and, if you wish, of maniacs," he did not mean an attack on universal suffrage, and on the rights the Emperor held from the Constitution. M. de Montalembert declared that his meaning was quite clear; he meant merely what he said—that he did not want to convert "men of progress," who differed from him—and those who thought with him; he merely stated a fact, and nothing more.

He was asked whether he did not mean to affirm that France had lost her freedom, when he says that "In Canada a noble French and Catholic race of people, unfortunately torn from our country, but remaining French in heart and in manners, owes to England the preservation or the acquisition, with entire religious liberty, of all the political and municipal liberties which France had repudiated," &c. He said he simply stated an historical fact, with which every one was acquainted, and which no one could deny. There could be no doubt that when the colony belonged to France, France did possess certain political and municipal institutions which she possesses no longer, but which are still maintained in Canada. Surely there was no attack on the Imperial Government by saying that it was France herself who repudiated those institutions!

In answer to one question put, he distinctly said, "Yes, I do esteem the political institutions of England preferable to those by which France is at present ruled;" and on another occasion he replied, "I did, and do, mean to say that I admire the freedom England enjoys, and regret that France no longer enjoys it also." At this he was stopped by the President, and told he was repeating the offence for which he was then being tried. He bowed, and said, "I cannot state facts other than they are."

He was asked whether he did not mean an attack on the laws, by saying "We have not only the habits but even the instincts of these wise and prudent people, who are eternally minors, who permit themselves occasionally frightful irregularities, but who fall again into civic impotence, where no one speaks but by permission, with the salutary terror of an *avertissement* if he ventures ever so little to censure the ideas of the Government or of the mob." He said, that he simply stated the fact that *avertissements* were given by authority in the cases alluded to. He was asked a few more questions to the same purport, and then was allowed to resume his seat.

As he sat down what was thought to be a mark of approbation was heard from some one near the door; it was very slight, for except in the immediate vicinity very few heard it. The President repeated rather sternly his order, and declared that to maintain silence and decorum in the assembly the power at the disposal of the Court, would, if necessary, be employed.

You cannot conceive anything more admirable than the attitude of M. de Montalembert during his interrogatory. It was quietness and calmness itself, with that touch of irony that is so peculiar to him, and with a studied politeness to the Bench that evidently embarrassed his questioners.

The President then called on the Procureur-Imperial to open for the prosecution. That functionary's reply, which did not last more than a quarter of an hour, was even less effective than his opening speech. He scarcely touched the specific charges of the prosecution or the powerful answer that had been made to them. He reiterated his assertion that French institutions were better than English ones, and that it was anti-French to say the contrary. He taunted M. de Montalembert with having formally voted for shutting up the Paris clubs, and asked whether his admiration for England led him to ap-

prove of English political meetings—institutions to which the English people were more attached than any other. He cited as instances of the immense danger of such meetings, some of the rhodomontade which “discussion forum” men sometimes indulge in, and which in England excites no attention whatever. He fastened upon an expression of M. de Montalembert, cautioning England against overconfidence in her own strength, and advising her to keep up a naval and military force proportioned to the large forces of despotism, and founded upon it the charge that M. de Montalembert wished to see a war, and would take part with England against his own country. He declared that M. Montalembert was “not a Frenchman!” that he was not a “patriot!” &c. “You have cast France down at England’s feet,” he exclaimed, “and there, there—you have struck her in the face! Your work is an impious one!”

Here the Procureur drew a sketch of the political state of England at the period of Count de Montalembert’s visit. He described at great length the various episodes of the siege of Lucknow, and rendered full justice to the courage of the 800 Englishmen and 200 Englishwomen who contended for four months against the united efforts of 100,000 barbarians. He then analyzed the article prosecuted, and contended that certain passages violated the law. He concluded by saying that in point of freedom the institutions of France feared no comparison with those of England.

Maitre Berryer—“Maitre” is the designation of the Jurisconsult in Court, and not “Monsieur”—Maitre Berryer was then called on for the defence. You are probably aware that in France M. Berryer has long been considered by most people as one of the greatest of French orators since the time of Mirabeau. In person he is rather under than over the middle size, but his features are full of experience, and reflect all the fire and passion which burn within him. There is something fascinating in his glance; and the look with which he surveyed the Procureur, seated on his lofty bench, as he entered the Court, after a few minutes’ absence, seemed to take the measure of that functionary’s intellect. His whole person is eloquent. The effect of M. Berryer’s impassioned rhetoric cannot be given by the most skilful short-hand writer, for its force lies in those qualities which cannot be transferred to paper. Who can give the exquisite intonations of that rich and melodious voice, or the graceful energy of his action? That action and that voice are never so much displayed as in the fire of his declamation. Other orators may be interrupted by the applause of their hearers, but M. Berryer is listened to with almost breathless silence, as if they feared to lose even one note of that deep voice, or miss one single wave of that arm. His voice is heard distinctly, whether it be low or high; and when it ceases, you long to hear it again, and hesitate by the slightest movement to break the spell. The variety of his intonations cannot be surpassed, whether his words are simple and familiar, bold, or rich with ornament. In sarcasm he is powerful, and his person swells under interruption. During his speech yesterday, when alluding to “official or non-official gag” on the press, he was stopped by the President, who thought proper to remind him that the re-

nown he had won at the French bar was won by his defence of the laws ; that the "warnings" given to the press from time to time were authorized by the law, an attack on which he would not tolerate, as it was a repetition of the offence they were at that moment prosecuting. M. Berryer effected his object in an indirect but far more forcible manner. He went over the charges one by one against his client, and scouted the notion that a mere statement of facts which were matter of history, the admiration of the institutions of another country, though not the same which existed in his own, could be tortured by any perversion of ingenuity into an attack on the Imperial Government of France. He read the incriminated passages one after another, and completely swept away the flimsy reasoning of the Procureur. He described the prosecution as "unjust, unfounded, ill-advised, and—he was going to say rash." He desired to accept the proposition of the Procureur-Imperial, that M. de Montalembert's article must be judged of as a whole, and not from miserable details, and the strained interpretation of here and there a strong expression dropped from the pen of a vivacious writer. The spirit of the article was not an attack upon anything French, but a genuine admiration of English free institutions, produced by hearing a splendid debate in the English Parliament on one of the grandest questions which ever occupied a deliberative assembly. He here pronounced a most eloquent eulogium on the conduct of the English Parliament and nation on the occasion of Lord Ellenborough's resignation on account of his answer to Lord Canning's despatch ; and said that M. de Montalembert, who at twenty-one had made a brilliant defence of himself in the Chamber of Peers for having founded a free school with Abbé Lacordaire—M. de Montalembert, whose whole life had been passed in Parliamentary struggles for religion and liberty, as he understood them, must naturally look back with regret to institutions which France had but very recently lost. On M. Berryer saying that to affirm that France did not now possess liberty was not an attack upon the Government, but merely the assertion of a notorious and undeniable fact, he was interrupted by—

The president, who said : Maitre Berryer, the defence is free, as you have seen ; but you are now going too far ; you are repeating at the bar the very offence with which M. de Montalembert stands charged ; and that cannot be permitted.

M. Berryer, with a gesture of eloquent astonishment, continued—"Must I then throw up my brief ? Have I lost my reason and conscience ? Do I understand what the Court means ? Can it be that a counsel is to be construed as attacking the Government because he will not say that black is white ? Why, it is the boast of the Government that it has bartered liberty for order—and it has done so it says, with the consent of the French people ; and that I am not here to deny. Yes, France has repudiated her own liberty. That is a fact which some people may and others may not regret ; but it is not rational to hold it an offence in any one to state the simple fact that liberty does not now exist." He went over the early history of his noble client, his eloquence as a writer and an

orator, his high character free from the slightest stain, his consistency, his devotedness to his principles, his unshaken fidelity to the cause of religion and of freedom, his great talents as a public man, which, even without the advantages he possessed of noble birth and ancient lineage, would alone have won him distinction among the most eminent of his contemporaries. M. de Montalembert did not calumniate his country, for he declared that France could support liberal institutions as well as England; but it was when he came to the passage of the article where he observes that "every man who sees in a Government something else than an antechamber," &c., that M. Berryer was overwhelming. It did not follow from this passage that M. de Montalembert meant that the Imperial Government was an antechamber; it referred only to those men who, under every *régime*, under every form of government, no matter who was King, President, or head of an Empire, were ready with their fulsome adulation to every one in authority—protesting fidelity to them to-day, and, when fallen, trampling on them; and offering on the morrow the same nauseous incense to those who overthrew them. Such men were to be seen in the antechamber of every King and every Minister. They were seen in those of Louis XVIII., in those of Charles X., in those of Louis Phillippe, and those of the Republic. They were ready to insult those they formerly bowed down before, and to bow down before those they formerly insulted. Such men belonged to no particular *régime*—they infected all alike; their only principle was base self-interest. They were ever the same men, the same faces, and were to be found at all times. As M. Berryer hurled his withering sarcasm in tones that made the walls ring again, with flashing glance and arm lifted high above his head, a thrill ran through the hall, and all involuntarily acknowledged the irresistible charm of the orator's eye, voice, and action. The looks of some were directed to one corner of the hall, where it was supposed one or two were sitting, who, perhaps felt the lash, and who seemed to shrink from the glance of the speaker. M. Berryer said:—

"However powerful the effect which would have been produced on the Court by the frank and eloquent language of the Count de Montalembert, delivered with that good sense for which he is so distinguished, and although nobody could so well explain to you, gentlemen, the consistency of his opinions, we would not permit him to undertake the task, as he could not speak of himself in the terms in which he ought to be spoken of. It is for us to fulfil this duty; it is for us who have been mixed up (*mêlée*) with him in the great agitation and the great scenes of political life; for us, who in different camps, on opposite benches, have sometimes not been able to agree as to the course to pursue, but who hold it an honour to declare that on all occasions, as well as to-day, we have desired to maintain the fundamental principles of order and liberty, of which he was the eloquent defender. Yes, in the midst of political terrors, we were fully united. We had the same feelings—to save society, but save liberty likewise—and it is with the same motto, the same battle-cry, that I come to repel an unjust, unfounded, imprudent and ill-timed accusation—I was going to add rash. It will be an easy task for me, gentlemen, to lead you to the fulfilment of your duty, as I shall endeavour to perform mine. We need not

fear that, during this trial, the first, you are told, that has occurred during the Empire, that any consideration could induce you to forget the sanctity and independence of the majesty of justice which is entrusted to you. The publication of M. de Montalembert, *A Debate upon India in the British Parliament*, is the object of a prosecution, taken altogether in its details. Assuredly, when it is intended to try a work so extended and of so serious a character, we should not stop at a single word or a detached phrase, that may be misinterpreted, altered, disfigured and exaggerated—it should be taken altogether. To judge of a work, it is not sufficient to place yourself in the point of view of the prosecution, you must try the man himself, his principles, and his life. That life has been engaged in every struggle during thirty years, and that life has been exposed to the gaze of all. He was still young when France, escaped from the sufferings and disgrace which the three tyrannies of the Convention, the Directory, and the Empire had inflicted on her, and was resting under a constitutional monarchy—a Government strong and free.”

M. Berryer then recounted the early life of M. Montalembert, his progress in the noble cause he entered upon, and the service he rendered to his country; he enlarged on his great talents, which he admired, and his character, which he ever did justice too even when sitting on the benches of the Opposition. M. Berryer’s speech lasted for two hours, and seldom did two hours appear shorter. When he sat down a burst of applause rose in the more distant part of the hall; it was rapidly extending to the whole audience, but was at once checked by the Court. The burst, I believe, was involuntary. The President again delivered a severe reprimand, and declared that on the next manifestation of the kind he should order the expulsion of the whole of the audience from the Court.

M. Dufaure then stood up on behalf of his client, the Director of the *Correspondant*. Nothing could well be more different in character from the magnificent declamation of M. Berryer than the speech of M. Dufaure. It was not a blaze of eloquence, which overpowered the understandings of the hearers, but it was a force of reasoning which convinced them. The most impassioned bursts of M. Berryer were like charges of cavalry; the sustained logic of M. Dufaure was like the steady action of infantry, moving with unbroken front and uninterrupted progress. The fluency of M. Dufaure is marvellous. In the same quiet voice, one tone seldom higher than another, his language flows out without a moment’s hesitation or impediment. He unfolds all the complications of the question in a manner so able as to bring conviction to the meanest capacity; his powers as a reasoner are first-rate. His irony, though not so brilliant as M. Berryer’s, goes far below the skin. He was once interrupted by the Procureur with reference to the fourth count, which was abandoned, and M. Dufaure despatched his interrupter in a moment. He frequently trod on as perilous ground as M. Berryer, but he managed so adroitly that he was not, I think, once interfered with by the Bench. The charge against M. de Montalembert for having said that the English managed their own affairs, and were not obliged to put themselves under the tutelage of a single man, was met by M. Dufaure reading a passage from the speech of Prince Napoleon, at Limoges, in May last, in which his Imperial Highness used the very

same expression with reference to the system of centralization. He also produced great effect by reading the famous letter of Savary, Duke of Rovigo, to Madame de Staël, intimating that the air of Paris must be extremely hurtful to her health, and that she would find a residence out of France most beneficial to her; in fact, banishing her from the French territory, not for what she said, but for what she did not say. He also read a passage from Montesquieu narrating that, when receiving the hospitality of a foreign country, he felt a peculiar interest in and regard for the people and institutions of that country. M. de Montalembert had been actuated by the same sentiment when in England. M. Dufaure completely demolished the allegations against his client, and treated with the keenest irony the arguments of the Procureur. His speech, which was admitted to be a master piece of forensic reasoning, was concluded at six o'clock.

The speeches of MM. Berryer and Dufaure were magnificent beyond description. To have heard them is an event in a life. Berryer spoke for two hours and a half; when he sat down, M. Villemain approached him, squeezed his hand, and said, "You never made a more splendid speech in your life, either at the bar or the tribune." Among the remarkable men present were M. Odillon Barrot and the Duke de Broglie, and seven or eight members of the Corps Diplomatique. M. Chaise d'Est Ange, the Procureur-General Imperial, sat behind one of the Judges' chairs, looking like a chained tiger disappointed of a rush at his prey. Etiquette does not allow him to speak except in the upper or "Imperial Court," and he was forced to leave the conduct of the prosecution with his inferior officer, M. le Procureur-Imperial Cordouen. The latter performed his duty with a modesty becoming his very moderate abilities. Regarding the trial from an artistical point of view, the Bar regretted that the Procureur-Imperial was so tremendously overmatched. Could C. d'Est Ange have spoken, the arms of the combatants would have been more nearly on an equality. The Procureur-Imperial told M. de Montalembert that he had thrown France prostrate at the feet of England and struck her on the face. This he repeated three times. "Vous l'avez frappé au visage, frappé au visage, indignement frappé au visage." Berryer said that the prosecution was "unjust, unfounded, ill-advised, and he would add rash." The Procureur-Imperial did not say anything offensive to England. M. Dufaure's logical style of argument was perhaps never shown to more advantage. Berryer, who spoke first, melted the hearts of his hearers, and then Dufaure convinced their reason.

At a quarter past six the Judges retired to deliberate. They remained in deliberation one hour and five minutes, and at twenty minutes past seven, the President having previously ordered in four *sergens de ville* to prevent any sign of approbation or the contrary, and to take into instant custody any one offending in that way, read the judgment of the Court, which is given *in extenso* in the *Gazette des Tribunaux*. It is as follows:—

“PARIS CORRECTIONAL TRIBUNAL, NOVEMBER 24.

“*President*—M. BERTHELIN.

“THE COUNT DE MONTALEMBERT AND M. DOUNIOL (EDITOR OF THE *Correspondant Revue*.)

“Count de Montalembert and M. Douniol, Editor of the *Correspondant Revue*, appeared to-day before the Tribunal, accused of having committed, by publishing or causing to be published in the *Correspondant*, under the date of the 25th October, an article entitled, *A Debate on India in the English Parliament*, the four following offences:—1. Excitement to hatred and contempt of the Emperor’s Government. 2. Attack against the respect due to the laws. 3. Attack against the rights and authority which the Emperor holds from the Constitution and the principle of universal suffrage. 4. Having endeavoured to trouble the public peace by exciting the contempt or hatred of citizens against each other. All being offences foreseen by the Decrees of the 11th of August, 1848, and the law of the 27th of July, 1849.

“The Imperial Attorney-General, M. de Cordoeu, pressed the prosecution on the first three counts, and abandoned the fourth.

“M. Berryer defended the Count de Montalembert, and M. Dufaure M. Douniol.

“The Court, after deliberating in the Council Chamber, gave judgment as follows:—

“Whereas, in the review entitled the *Correspondant*, an article appeared on the 25th October, headed *A Debate on India in the English Parliament*, whereas Count de Montalembert acknowledges himself to be the author of that article, and authorised its publication, and Douniol admits the publication; whereas, in the course of that article, written in a systematical spirit of disparagement, the author, by the continual contrast which he chooses to draw between the institutions which France has bestowed upon herself and those of a Power in alliance with France, takes pains to pour out irony and insult on the political laws, the men and acts of the Government; that three offences—1. The offence of exciting to hatred and contempt of Government; 2. The offence of an attack against the principle of universal suffrage, and the rights and authority which the Head of the State holds from the Constitution; and, 3. The offence of an attack against the respect due to the laws and to the inviolability of rights which they have consecrated—arise from the entire tenor of the said article, and particularly of the passages commencing with these words—‘When my ears tingle,’ [see page 15 of this pamphlet]; ‘I grant,’ p. 16; ‘In Canada,’ p. 19; ‘We possess not only,’ p. 24; ‘I was for my part,’ p. ; ‘In a word, moral force,’ p. 61; ‘While these reflections,’ p. 61; ‘I have already shown,’ p. 65.

“As regards the fourth offence imputed to the accused; whereas, although expressions are found in the passages objected to which should not have been expressed by the pen of a writer who respects himself, and although those expressions have a tendency to sow disunion and agitation among the citizens, they do not sufficiently manifest, on the part of the author, an intention to trouble the public peace, and this last offence is not completely proved;

“Whereas the Count de Montalembert and Douniol have been found guilty of the three offences above charged against them, offences provided against and punished by articles 1 and 4 of the decree of the 11th August, 1848, articles 1 and 3 of the law of the 27th July, 1849:

“Whereas, in case of conviction under several heads, the highest pen-

alty ought alone to be applied; that the heaviest penalty is declared by Article I. of the law of the 27th of July, 1849; that that Article, which has for its end to protect, against culpable attacks, the head of the State issue of universal suffrage, has not been repealed;

“Applying the said article to the accused,

“Whereas, in the case of Douniol, extenuating circumstances exist; and whereas, the provisions of Article 463 of the Penal Code are, in the terms of the Decree of the 11th of August, 1848, applicable to the offences of the press;

“Considering Article 463,

“Condemns the Count de Montalembert to six months imprisonment and a fine of 3,000f.; Douniol to one month's imprisonment and a fine of 1,000f.; declares that they will be held jointly liable for the said fines; acquits them on the remainder of the accusation; condemns them jointly to pay the costs; and fixes at 12 months the period of imprisonment for debt in default.”

The proceedings were announced to be at an end; the Judges and Procureur quitted the Court, and the audience separated. A group was in the street, curious to see M. de Montalembert, who returned home on foot, and the numerous police retired.

The *Moniteur* of the 29th of November, having intimated that it was the intention of the Emperor Louis Napoleon to remit the sentence of the Court, Count de Montalembert at once addressed the following letter to the Editor of that paper:

“M. LE REDACTEUR,—The *Moniteur* of this morning contains in its unofficial part a piece of news which I learn on reading that paper. It is to this effect:—

“H.M. the Emperor, on the occasion of the anniversary of the 2nd of December, has remitted, in favour of Count de Montalembert, the penalty pronounced against him.”

“Condemned on the 24th of November, I have appealed, within the term allowed by the law, against the sentence pronounced against me.

“No Government in France has had, up to the present, the right to remit a penalty which is not definitive.

“I am of those who still believe in right, and who do not accept a favor.

“I pray you, and if need be, require you, to be good enough to insert this letter in your next number.

“CH. DE MONTALEMBERT.”

